App. F. IX—4

Previous References.

JRN-1-55-90

Later References.

(1957)
BRP

File No. PWD 19 BRP 57
Serial Nos.

Dpd 19.6.58

MYSORE GOVERNMENT SECRETARIAT

Serial Nos.

Irr 23/1/58
BR 1/58

Part B for February 58.

SUBJECT

B.R.P - Acquisition of structures in the reservoir submersion area - payment of compensation in unauthorised structures.

WD 0142—GPB—50,000—10-6-57

No PWD 19 BRP 57 dt 7-1-58.

Maybe presented to the Secy. to Govt. P.W.D. (Irrn) & Chief Engr. M.I (South)

Hanumaiah
8.2.58.

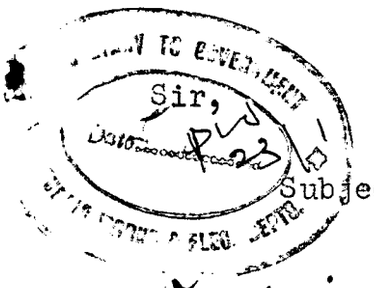
No.Ll.Spl.C.3/55-56.
Encl. one.

1876

Office of the Chairman,
Ad-hoc Committee to examine the questions relating to acquisition of lands and rehabilitation of ryots affected by Bhadra Reservoir Project and Revenue Commissioner in Mysore,
Bangalore, dated 23rd January 1956.

To

The Secretary to Government of Mysore,
Public Works Department,
Bangalore.



Subject: Bhadra Project - acquisition of structures in the reservoir submersion area - payment of compensation for unauthorised structures.

1) With reference to your letter No.P.W.A.7050-51/Irn. 1-55-90 dated 21-11-1955, I write to state that in the 5th Ad-hoc Committee meeting held at Bangalore in the Chambers of the Revenue Commissioner in Mysore, Bangalore on 3-12-55 at 8 A.M., it was decided that the Government may again be requested to reconsider the above subject and orders of Government may be obtained to pay compensation to the owners of the unauthorised structures in Bhadra Reservoir submersion area.

Flag "C" in file placed below.

2) A copy of the resolution of the Ad-hoc Committee is enclosed for reference (Subject No.4).

Page 1 C.F

Yours faithfully,

(G.N.Nagaraja Rao)
Chairman &
Revenue Commissioner.

23/1/56

BSN/.

19/11/56

3) After a detailed examination of the entire subject Govt: ordered in P.W.A 7050-51/Irn 1-55-90 dated 21.11.55 that compensation need not be paid for un-authorised structures put in the submersion area of the Bhadra Reservoir - vide file placed below.

The Ad-hoc committee for acquisition

Q: Bhadra project — Submersion area — compensation for un-authorised structures. 4564/3510 PWD(AS)

of lands and rehabilitation of ryots have again urged that compensation may be paid to owners of un-authorised structures in the Bhadra Reservoir Submersion area in view of the extraordinary circumstances explained in the committee's Resolution at page 1. The R.C. has ~~expressed~~ requested for a reconsideration of the orders already passed and sanction being accorded to payment of compensation for un-authorised structures.

4) Submitted for orders with the concurrence of Rev & Fin. Secretaries.

Secy (PW) 5/2

1/2/58.

5) Has not the Committee ceased to exist after its report was submitted?

4/2

7) Ref: para 6. The Ad-hoc committee ceased to exist from 28.12.55 ~~after~~ on the issue of G.O. No. PWD. 8353-404/Dom/-55-105 dated 28.12.55 for constituting a bigger Committee.

Has it

Secy (PW) 2/2/58.

2/2/58.

8) How many such structures are to be regularised? What is the approximate ~~expenditure~~ expenditure involved?

4/2

B/c

V.P.

Bhadra project — Submersion area — Compensation for un-authorised Structures

Mysore Government Secretariat 85/56 / 385-LAS/94-57 File No. of 195 . 2570 [App. F. III 2

Serial No.

9) Ref: para 8 Draft Submitted for approval.

Sd/ 10/2/56 Issue

Do

Issued No. P.W.A 10 234/20-2-56

Letter No. C.S. 6-1 S/L.C. 3/55-56 dated 22.2.56 from the Rev. Comm. forwards a report

11) The R.C's letter at pages 9 and the Statement referred to therein (pages 7-8 C/F) are for perusal with reference to para 8 overleaf. It will be seen therefrom that the number of un-authorised Structures is 35 valued at Rs. 6,221-12-4 and in Byrapura and 17 valued at Rs. 2,858-12-0 in Hosahalli Village of Narasimharajapur Taluk coming under Submersion of Bhadra project. The total cost involved is therefore Rs 9080-8

12) The R.C's recommendation for a reconsideration of the orders already passed and Sanction being accorded to the payment of Compensation for un-authorised Structures is now for orders with the concurrence of Rev. & Fin. Secretaries

Sd/ 28/2/56. Secy (Rd) (3) 29/

Note.—Contn. Sheet

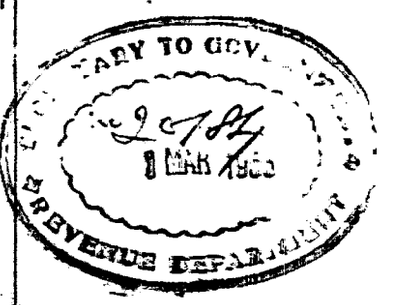
Bhadra project: — Subversion [illegible] — [illegible]
for [illegible]

4

File No. ——— of 195 .

Mysore Government Secretariat

Serial No.



14) A decision has been taken already that no compensation need be paid in the case of unauthorised structures as Govt. is not bound by law to pay it. The Revenue Commissioner as Chairman of the ad hoc committee in Bhadra Project has ~~after~~ recommended that the decision may be reconsidered. The amount involved is stated to be about Rs. 9,050/-. The amount being small compared with the expenditure to be incurred on ~~[illegible]~~ acquisition and rehabilitation in connection with the execution of the Project, I think Govt. may take a ~~[illegible]~~ sympathetic view of the case and order payment of compensation in the case of such unauthorised structures also, subject to a ceiling of Rs. 10000/- for the whole Project and without ~~[illegible]~~ acknowledging any legal liability in that behalf. /A

Min: Rev & Pw
thro'
Rev Sec: Fin: Dy

Dy Sec Rev to show drawn.

13.

15) I agree that the matter deserves to be viewed generously. Payment will have to be made

WD 0260—GPB—P. Z. S. 1,30,000—21-5-55.

Bhadra Project — Submersion area —
Compensation for un-authorised structures

Mysore Government Secretariat

File No. ~~9493 of 195~~ 9493/A

[App. F. III 2

Serial No.

Subject to "A" in the P.S. Sec's note and should not serve as precedent. Since such payments are based on considerations which are equitable rather than legal, a sum of Rs 10,000 may be placed at the disposal of the R.C. for making ex gratia payments. It is not desirable that these payments should be made by the Land Reg? Officer as compensation.

Sec (Rev.)

9/3.

FINANCIAL SECRETARY
GOVT. OF MYSORE
9 MAR 1956
U. O. No. 4823 Fl.

Min: Rev: ... 10 ... 9/3

this
file - ij

9/3

17) There is no question of payment of compensation at all. The payment of ex-gratia grants is quite a different matter. Unless it is in accordance with any accepted public policy payment of any amount for un-authorised constructions would only be to put a premium upon infringement of law by rewarding it. If the proposal is to be approved nevertheless the matter

Note.—Contn. Sheet

may be decided in Council.

9/3

8/17

9) 13/3 20/6 14/3

21) 11/4 10/4

22) 11/4 23/6 11/6

14823 bi

7226
14 MAR 1956

24) The Revenue Commr in his Subsequent Report at pages 10-11 C.F has stated that the approximate amount of compensation of Rs 9080-8-4 for the un-authorised Structures in the Bhadra Submersion area, as previously intimated, is only in respect of two villages viz. Byrapura and Hosahalli. It is also stated that particulars of the valuation of the un-authorised Structures in other villages have not yet been received from the P.W.D. On receipt of particulars in respect of the other villages, the R.C. has promised to furnish a further Report.

Letter No. CS-LI-S.T.C.3/55-56 dated 3.3.56 from the Rev. Commr. forwarding a further Report.

25) In view of the latest Report of the R.C. the cost of un-authorised Structures in the Submersion area of Bhadra Reservoir

BRP — Submersion area — Compensation for un-authorised Structure

Mysore Government Secretariat | File No. of 195 | [App. F. III 2] 2228 JDW(A)

Serial No.

Letter No. D.O.L.I. P.R. 35/56-57 dated 1.9.56 from the Secretary, Bhadra and Tunga projects Irrigation Development Committee

Forwards a resolution passed by the Bhadra and Tunga projects Irrigation Development committee regarding payment of compensation to un-authorised Structures in the Submersion area.

35) The resolution (copy at page 20 C.F.) is for perusal. The matter has been engaging the attention of Govt. for quite some time. A final decision in the matter is held up for want of information regarding the overall financial implications of the question. Details of financial implications called from the Rev. Comm. have not yet come. Hence will be reminded. Draft also submitted.

36) Done for 6/10

Issued in lr. PRP 5213 dated 9.10.56.

To The Rev. Comm.

Note regarding two subjects about which the Divl. Comm. Mysore reminded for orders at the time of B & T. P. Irrign Devpt. Committee meeting held on 14.12.56

37) Submitted for perusal of the note at page 22 C.F. An extract of the note has been sent to the

Note.—Contn. Sheet

10 B.R.P. Submersion area — Compensation for un-authorised Structures.

2276/415 File No. 569 of 195 .

Part (III) 1564

Mysore Government Secretariat

Serial No.

Rev. Secrt. for further action regarding item 1 of the note. Regarding item 2, the Connected Papers are put up. Para 35 overleaf gives an idea of the present stage of the question. A final decision is held up for want of a Report called for from the Divisional Commr. Mysore Div. He will be reminded. Dft. ruled.

Dft. & fair are put up. 38

22/12/56 39

Issued. NO. P.W.M.I. 497 & 24-12-56.

No. Divisional Commissioner Mysore Division Mysore.

Letter No 129/56-7 dt 19.1.57 from The Land Acquisition officer - and Secretary Tunga & Bhadra projects Govt Dept Committee forwards a resolution passed the Bhadra & Tunga projects Govt Dept Committee Regarding payment of Compensation to un authorised Structures in Malaud Area.

The resolution (corrected Copy at page 1/c 24 is for perusal. The matter has been engaging the attention of Govt for quite some time A final decision in the matter is held up for want of information regarding the overall financial implications of the question. Details

BRP — Submersion Area — Compensation for un-authorised structures.

ore Government Secretariat

File No. 569 of 1564 of 195 /pwng/PWD 19 BRPS7

App. I. III 2

Serial No.

of financial implication called for called from the Revl Commr (Now Divisional Commr Mysore) have not yet been received. He will be reminded demi officially. Dft Submitted

4/2/57 5/2/57

Issued in No. GO. PWM-1212 dt-6-2-57 to Shri. Nagaraja Rao - IAS. Divisional Commissioner, Mysore.

Letter No A10 6508/56-57 dt- 3rd Feb 57 from the Divisional Commissioner Mysore.

forwards an interim report.

The letter with enclosures of the Divisional Commr Mysore at pages 26 & 27 may be perused. In the circumstances further report may be awaited.

7/2/57 7/2/57

The subject is with regard to the payment of compensation for unauthorised structures — acquisition of structures in the reservoir submersion area — Bhadra Project. Paras 14 to 17 ante may kindly be perused. This is a matter which will have to be decided in the council. Further action is held up for want of certain particulars from the Divisional Commissioner, Mysore. He has been reminded several times for early submission of the details called for, but

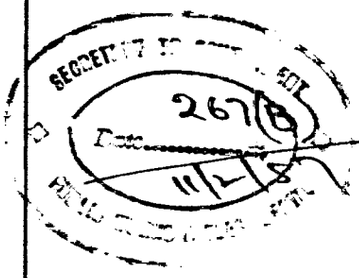
Note.—Contn. Sheet

BRP – Submersion area – Compensation for acquisition of Structure.

195 File No. PWD 19 BRP 57 of 195.

Mysore Government Secretariat

Serial No.



q no avail. He will be addressed in this matter after a week and copy sent to the Spl. Land Acquisition Offr, Tungabhadra project and Ex. Engr No 1 Adm Dn, BR project with short instructions to furnish the reqd. particulars in about a weeks time.

For perusal

KR 7.2.1957

Dy Secy (PWD)

44) PWD 8/2/57 Dy Secy (PWD) KR 9.2.57

Secy (PWD)

45)

46) PWD 12/2/57

1. Take action as directed in para 43

KR 12/4/57

48) Draft D.O is put up for this

14/2/57 14/2/57

49) Issued

KR 14/4/1957

Issued vide PWD-19-BRP-57 dt 3/5/57 to Shri G.N. Narasimha Rao, Executive Engineer, Tungabhadra Project, Adoni, Kurnool District.

cm 5/5 R.O. Memo dt 3/5/57 from Executive Engineer, Tungabhadra Project, Adoni, Kurnool District.

WD-05450-GPB—P. Z. S.—90,000—21-9-56.

B.B.P.- Submersion Area Compensation 13
for unauthorised Structures.

Mysore Government Secretariat

File No. PWD 19 BRPS 57 of 195 [App. F. III 2

Serial No.

3-S-CF

Received letter No. A 10 6508/ S.6:57 dt 20th Feb 57 from the Divisional Commissioner Mysore forwards a further report in the matter

50) The letter of the Divisional Commr Mysore may be perused with reference to paras 30 and 43 of the Notes. It is stated that the exact valuation of all the unauthorised Structures in the entire B.R. Submersion area is not possible to be furnished immediately for the reasons mentioned by the Asst. Officer in his letter dt 16.2.57 (vide 37 page C.F). It is also stated that as many as 9 villages come under Submersion this year and that the displaced 3405 of these villages will have to be rehabilitated without delay in the five villages to be newly formed in Narasimharajapura taluk. On an average a sum of Rs 50 may be the approximate value of assets of both authorised and unauthorised Structures of a village. Judged from the present data of 9,081/- available in respect of two villages

A

51) In view of the above the Divl Commr has requested orders of Govt for the payment of compensation to the Structures built with or without permission in B.R. Submersion area. As per the data at 'A' the amount may exceed even Rs 10,000/-.

Note.—Contn. Sheet

14 B.R.P. Submersion area - Compensation for unauthorised structures.

File No. PWD 19 BRI of 195 /.

Mysore Government Secretariat

Serial No.

52/

If approved the views of the Divisional Commr will be incorporated in the draft Council Note already put up at page 14-15 C.F and put up for appl.

25/2/57 25/2/57

53) Dy. Secy may please see para 30 of the note file with reference to a draft council note put up at pages 14-15 of the C.F.

54) It is now reported by the Divisional Commissioner Mysore Dn that the exact valuation of all the unauthorised structures in the entire B.R. Submersion area (25 villages) is not possible to be furnished immediately, for the reasons furnished by the Spl Land Acquisition Officer, Tunga & Bhadra Projects at page 87 of the CF. It is also reported that on an average a sum of Rs.5000/- may be the approximate value of acquisition of both authorised and unauthorised structures of a village from the available data of Rs 9081/- in respect of the two villages Byrapura and Hosahalli. This statement does not seem to be correct in as much as the available data of Rs 9081/- in respect of the two villages Byrapura and Hosahalli pertains only to unauthorised structures only.

55) As 9 villages come under submersion this year and as the displaced ryots of these villages will have to be rehabilitated without delay in the five villages to be newly formed in Narasimharajapura Taluk, the DC requests for early sanction of Govt

WD-05450-GPB—P. Z. S.—90,000—21-9-56.

B Rf — Submersion area — Compensation for unauthorised Structures — 17

Mysore Government Secretariat

File No. PWD 19 BRf/ of 1957.

[App. F. III 2

Serial No.	
	66) Addnl Divisional Commr, Mysore Dr, Mysore for the clarification of point (A) noted in para 5(4) of the N.F, as per letter of the Dy. Cy.
	Ka 22/3/57
	67) A draft letter in full of for final
	Sms 2 22/3/57 VR 57
	68) Ka 23/3/57
46 cF	Issued. No. PWD-19-BRPS 57 Dt 25/3/57 to the Divisional Commissioner, Mysore Division, Mysore.
47 cF.	Received letter No A.Dis. 6508/56-57 dt 24th March 57 from the Divisional Commissioner & Mysore forwarded further report
	69) The letter of the Divisional Commissioner at page 47 cF may be perused w.r.t. para 66 of the note. It is stated that the sum of Rs 5.000/- represents the approximate value of Acres of all Structures — both authorised and unauthorised in a village on an average In the circumstances explained the draft Comm. note at pages 40-43 cF already

Note.—Contn. Sheet

18 T Bdg – Submersion area – Compensation for unclaimed Structures

File No. PWD 19 BRP of 195 .

Mysore Government Secretariat

Serial No.

Put up in for appl

3/4/57 3/4/57 70) Draft comml rate in at pages 40 to 43 of the CF.

Dy Secy (PWD) 71) B.S. Srikantaiah 4.4.57 Dy Secy (PWD)

RECEIVED 5/4/57 Dy Secy (PWD)

72) Please see last para of Govt SN. Was no agreement with similar privileges were extended to people of Hirebhaskar submersion area been made?

5/4/57 BDD 6/4/57

73) It is stated in the copy of letter of the Spl Land Acqn officer Bhadra & Tunga projects Shimoga at 'A' at page 37 CF, that a similar privilege was extended to the displaced ryots of Hirebaskar Submersion area. As the question is being dealt with in the Elec Branch, that branch may be requested to furnish details regarding payment of Compensation to the structures built with or without permission in Hirebhaskar Submersion area, if any, as stated by the Spl Land Acqn officer above 74) for invite remarks on (A) and return

4/4/57 AS (Elec) 10/4/57

10/4 AS (Rev) 10/4

WD 03728-GPB—P. Z. S. 50,000— 1-8-56.

Serial No.

75) The Civil Engineering works of the M.G.H.E were under the administrative Control of the P.W.D and the then P.W. Branch was dealing with all the papers on the Civil Engineering side. The information required will be available in the P.W. Branch alone

76) Asst Sec PWD)

11/4

11/4

77) The previous records relating to Sivebhaskar (Jog) are not available in the Secretariat. In the circumstances the Chief Engineer (CL) to whom it was attached, may be requested to furnish the information as at para 72 Off also fall up.

20 B&P- Submersion area - payment of compensation

Mysore Government Secretariat

File No. PWE 17 B&P of 1957.

Serial No. 2

78) Draft D.O. reminder to CE (General), CE. M.E (S), CE. E and secretary Tunga & Bhadra projects for approval.

DH 3/5/57.

Dft. & fair are up

Sms 4/5/57

GSm

KD 10/5.

Issued. No PWD. 19 B&P 57 dt 10/5/57

To The CE. M.E (S)
The CE ~~(E&T)~~
The CE (General)
The Secy., Tungat Bhadra projects, Shimoga

By name.

Received letter No. E.244 dt 20.5.57 from the Chief Engineer Electricity.

79) In view of the interim reply received from the CE (E), this may be awaited for a further report.

Sms 22/5/57

GSm.

KD 23/5/57

from the CE. M.E (S).

80) In view of the interim reply, a further report may ~~the~~ be awaited. A reminder will be given after waiting for a ~~three~~ days.

DH 24/5

Sms 25/5/57

B.R.P. Submersion area – Compensation for unauthorised Structures

Mysore Government Secretariat

PWD 19 BRP 57 File No. of 195 . [App. F. III 2

Serial No.

81) As this matter has been pending for a long time, perhaps, the Land Acquisition Offr, Sagar, may be addressed direct from this office and the information at para 72 obtained within three days. (Pl. see the letter of the CE E at para 51 cf)

Dy. Secy PWD

82) Addressed

83) Submitted with a draft for approval.

28/5 Secy 28/5/57

Issued

29/5/57

Issued No. PWD 19 BRP 57 Dt. 30-5-57 To the Land Acquisition Officer, Sagar.

55/cs

Received letter No. 1445 dt. 25.5.57) from the C.E.(General).

No action is called for on this receipt since Land Acquisition Officer, Sagar has been addressed in the matter

57/cs

31/5 Secy LAO may be reminded on 3-6-57)

56/cs Secy 1/6/57

Received letter No. 622-3/5 dt. 1.6.57) from the C.E. M.I.(S).

57/cs

It is submitted with a draft reminder to LAO. Sagar for approval.

Secy 3/6/57

Note.—Contn. Sheet

8/6 PWD 19 BRP 57 dt. 3/6/57

Bhadra Resr. Project — Payment of Compensation for unauthorised structures in the submersion area

File No. PWD 19 BRP of 1957.

Mysore Government Secretariat

Serial No.

From the Spl. L.A.O., Tunga-Bhadra Projects, Shimoga.

With ref. to para 72 the C.E., M.D.S., has stated that all the records were handed over to the C.E.; the C.E. has stated that he is awaiting a reply from the L.A.O., Sagar. The Spl. L.A.O., Shimoga, has reported after verifying the records of the Ex-Spl. L.A.O. officer, Hirebhasgar Dam works, that in respect of awards, orders passed in three cases of acquisition under the Hirebhasgar Dam Compensation was awarded for buildings situated on Govt. lands. The other three cases relate to Structures (pp 60 & 64) and the other to Malki trees on Govt. lands. He states that the same privilege may be allowed in the case of Compensation for acquisition in the Submersion area under Bhadra Resr. project also. In the circumstance, the Council note at Pages 40 to 43 is for consideration.

P. 59 to 61.

Ref — para 72.

Dy. Secy (PWD) 6/57

4/6/57

Bhadra River Project — Payment of Compensation for unauthorised [illegible] in the Submersion area.

Mysore Government Secretariat

File No. of 195

[App. F. III 2

Serial No.

(89) In view of Para 72, please revise the last para of the draft Cabinet note incorporating the facts noted in para 87

BSS 5.6.57

KR 5.6.57

Dr. Temp. Revised Note pp. 40 to 43 5/6/57

SECRETARY TO GOVERNMENT No. HI 43 Date 11/6/57 PUBLIC WORKS & ELEC. DEPTT.

90. Revised Draft Cabinet note is put up.

Ref - paras 72 & 89.

hm 6/6/57

For appl.

KR 6/6/57

B.S. Srikantaiah 8.6.57

CHIEF SECRETARY No. 9 18 JUN 1957 GOVERNMENT OF MYSORE

Dy. Secy (Pwd) & Plg

Chief Secy KR 18.6.57

D. K. SRINIVASACHAR
Secy. P. W. & Elec. Depts.

91) Referred back in agreement for [illegible]

OFFICE [illegible] MINISTER No. 809 Date 18/6

CHIEF SECRETARY No. 47 27 JUN 1957 GOVERNMENT OF MYSORE

DEPUTY SECRETARY TO GOVERNMENT NO. 2046 28 JUN 1957 GENERAL ADMINISTRATION DEPTT.

Note.—Contn. Sheet

Payment [illegible]

File No. of 195 .

Mysore Government
Secretariat

Serial No.

GENERAL & REVENUE SECRETARIAT
Council Section
C. 119/57-58
28. 6. 57
CHIEF SECRETARIAT

Council Case No. C. 119 /57-58.

Date..... 1. 7. 57.

FOR CONSIDERATION AT A

MEETING OF THE COUNCIL.

Council Note circulated for information.

Dy. Secy.,
GAD.

Chief Minister;
All Ministers.

1-7-57

PWD 19 BRP/57

C.119/57-58.

Extract from the Proceedings of the Twelfth *Meeting of the Council of Ministers held at Bangalore on* 3rd July *19* 57.

93)

SUBJECT:- C.119/57-58.

Payment of compensation for Unauthorised structures in the Bhadra Reservoir Submersion area.

DECISION OF COUNCIL.

Proposal to pay compensation (Ex-gratia) approved, provided that the structures were in existence prior to 1-1-1954.

(SD) S. NIJALINGAPPA,
CHIEF MINISTER.

Secretary, P.W.D.

94)

95). orders of the Govt PWD on the L-C file quoting No 5.

" A decision has now been taken by Govt to pay Ex-gratia in the case of all unauthorised structures that came into

"EXTRACT"

Deputy ~~Chief~~ Secretary to Government.
GAD.

existence prior to 1-1-1954. Issue orders in that case instruct the L.A.O to go ahead with the passing of awards quickly and to report. The plea put forward by the L.A.O is both strange and irrelevant. It is his duty to pass awards in all clear cases and not wait indefinitely!".

Dated 8-K-S. 5-7-57.

96 A draft G.O is put up for appl. ~~[illegible]~~ 6/7/57 : It may be necessary to mention the maximum amount of ex-gratia compensation to be paid. The Rev. Secy. has noted in para 15 of note that a sum of Rs. 10,000/- may be placed at the disposal of the 'R.C' (now Dt. Comr.) for making ex-gratia payments. When this can be incorporated in the G.O. is for consideration - draft G.O is sent up for orders.

This point was mentioned in the Comm. note.

Bhadra project - payment of compensation to encroachers Structures — Correspondence — PWD (IRR) Dept

80 cF

Receipt No W.C./B.A.C./14-21/133 dt 30.7.57, from the Accountant General Bangalore

109) The letter of the Accountant General at page 90 cF may be perused w.r.t. G.O dt 11.7.57. As the proposal for the payment of compensation is at the instance of the Divisional Commissioner, he may be requested to obtain his remarks on receipt of the same, raised by the A.G. The letter is also submitted.

79 cF

110)

Recpt No 1705/s dt 20.9.57 from the Chief Engineer Major Irrigation. South Bangalore

111) The letter of the Chief Engineer and its enclosures at pages 83-84 cF may be perused w.r.t. A.G's query at 80 cF. The

Bldg proj - Ex gratia payment - Submission.

PWD 19 BMPS 57

The Executive Engr may await report from the Divisional Commr Mysore on He will also be reminded. Off put up

239 25/9/57

112) JSlw 25/9/57

NMP 28/9/57

Receipt No 40. BRE.IX 2/5258/503 dt 25/9/57 from the Assistt General Bangalore

BRCF.

113) The particulars asked for from the Divisl Commr Mysore are awaited. An interim reply to A.G. is put up.

310 4/57

114) JSlw 5.10.57

115) ~~Issued~~ in No PWD 19 BMPS 57 NMP 9.10.57

Receipt No A 10-6508/56-57 dt 7th Oct 1957 from the Divisional Commissioner Mysore.

93CF

116) Further report may be awaited.

20/10/57

117) 11.10.57

13Rp – payment of Compensation for unauthorised Structures.
Fees 69 B/57.

99) I feel that in the operative part
HI.43 of the G.O., the word 'Compensation'
may be avoided. Put up retyped
draft as corrected. This should be
shown to secy before issue.

Secy
8/7

8/7/58

100) For appl to the draft G.O. put up

8/7/58

Secy p 100)

101)

11/7

11/7

11.7.58

Pw 7/9

Signed Fair copies are placed in the File for being sent to the Financial Secretariat for Communication to the Accountant-General.

Financial Secretariat.

11/57

102)

11.7.58

Fl comm no. 3629.

RS.
11/7

103)

D.S. Fin

For perusal

11/7/58

W. E. ALBERT
Asst. Secy. Fin. Dept.

13 R/P – payment of Compensation to engineering S. in the Submersible area. 2 Ustt

P&O 19 BAPH D 1-5 1117

104) R/— may be communicated. as it is a Council decision.

But we would like to point out to PWD that this dept was not consulted before the matter was taken to the Council.

11/7

PWD.

105) Issue

Issued. RS. 11-7-57.

11/7/57. Issued AnP 11.7.57

SECRETARY TO GOVERNMENT T19.251 Date 24/7/57 PUBLIC WORKS & ELEC. DEPTT.

106) The G.O. is issued. para 104 may be perused. We have pension already consulted the F.D vide 17 to 22 of Notes.

FINANCE DEPARTMENT 2131 16 JUL 1957 COVERNMENT OF MYSORE

12/7 12/7 107) D.S.(F.D.) may kindly see para 17 of the Note File, and the portion (A) in the Council Note (page, 73 of the Correspondence File).

16/7

25/7 25/7

108) D.S.(F.D.)

PWD 109) D.S.(F.D.)

23/7 23/7 Seen and returned to PWD

F in Deptt 13.7.57

24/7/57

Bhadra project - Ex gratia payments &c

Mysore Government Secretariat

File No. PWD 19 BMP 57 of 195 7.

[App. F. III 2

Serial No.

(117) Replies to ... can be furnished here without waiting for a report from Dist. Commr. They will be as below:

1) Payment of compensation is no doubt unusual, but the circumstances in this case are also unusual. What is being paid is an ex gratia payment & not compensation.

2) The data will be verified with the records.

3) The money will be drawn by the LAO under authority of the Dist. Commr. in the same manner as money for L.A. Awards and from the same source. The expenditure will be accounted for in the same manner

4) Dist. Commr will be instructed to certify on the vouchers.

F.D. for concurrence

D. K. SRINIVASACHAR
Secy, P. W. & Elec. Deptt.

For Deputy Secy W & S

(118) A reply to the AG may issue on the above lines indicated by Secy PWD in his foregoing note.

Note.—Contn. Sheet

DS(W) 21/12

(119) P.W.D 26/12

M. Veeraraj Urs
Dy. Secy. to Govt. Finance Deptt.

SECRETARY TO GOVT. FINANCE DEPARTMENT 6373 21 DEC 1957

SECRETARY TO GOVERNMENT PUBLIC WORKS & ELEC. DEPT. No MG 112 10 DEC 1957

SECRETARY TO GOVERNMENT PUBLIC WORKS DEPARTMENT 3527 12 DEC 1957 GOVERNMENT OF MYSORE

Bhadra project - Ex-gratia payments - Submergence area

File No. PWD 19 BRD of 195).

Mysore Government Secretariat

Serial No.

(12.1) Put up draft reply

28/12/57

30.12.57

(13.1) A dft letter is put up for approval

31/12/57

6.1.58

9/1/58

Extract from the Proceedings of the Fifth ~~x~~ Meeting of the Ad-hoc Committee to examine the questions relating to acquisition of lands and rehabilitation of the ryots affected by the Bhadra Reservoir Project~~x~~ held on 3rd December 1955 at 8 A.M., in the Chambers of the Revenue Commissioner in Mysore, Bangalore.

-:oOo:-

X X X

Subject No.4 Acquisition of structures in Bhadra Reservoir Submersion area and payment of compensation to the unauthorised structures etc., in the villages concerned in Bhadra Reservoir submersion area.

This subject was discussed in the Ad-hoc Committee meeting on the strength of the recommendation made by the Chairman of the Ad-hoc Committee in his letter No.Ll.C.3/55-56 dated 12-9-1955. The Chairman read the letter received from the Secretary to Government, Public Works Department. It is stated that compensation should be given only to authorised structures. Further, the Chairman stated in view of the difficulties, disappointments experienced by the ryots coming under Bhadra Reservoir submersion area, the compensation should be paid to all the structures, built with or without permission. If a legal view is taken majority of the holders have to be denied the comepnsation. The displaced ryots coming under Bhadra Reservoir submersion area have to migrate to new places leaving their lands and abodes sacrifing their personal interest and their sentiments. In the above circumstances, the ryots specially deserve some considerations. The main Committee resolved that the Government may be addressed again ~~in this~~ in view of the fact that; most of the structures are old thatched structures and it is customary in malnad to put up thatched sheds for convenient cultivation of lands. In many villages according to Revenue Accounts invariably there are no authorised structures at all. Indeed it would be very hard for poor people if comepnsation is totaly denied.

X X X

" C O P Y"

Sd/- G.N. NAGARAJA RAO,
CHAIRMAN &
REVENUE COMMISSIONER.23/12/55

Hanumagatarao 1911
Spl L.A.O. Shimoga

1(a)

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

R e a d -

Government Order No.P.W.A.5615-25/Irn. 1-54-101 dated 27th August 1954 constituting an Ad-hoc Committee consisting of the marginally noted officers with the Revenue Commissioner as Chairman to go into the question of acquisition of lands and rehabilitation of ryots affected by the Bhadra Project and to furnish suitable proposals to Government.

1. The Special Chief Engineer for Major Irrigation Works.
2. The Deputy Commissioner, Shimoga District.
3. The Deputy Commissioner, Chickmagalur District.
4. The Special Engineer, Bhadra and Tunga Projects.
5. The Special Land Acquisition Officer, Bhadra and Tunga Projects, Shimoga (SECRETARY)

2. Letter No.Spl.L1.C.22/55-56 dated 12th September 1955 from the Revenue Commissioner in Mysore and Chairman, Ad-hoc Committee for acquisition of lands and rehabilitation of ryots affected by the Bhadra Project, stating that the Ad-hoc Committee at its 4th meeting held on 23rd August 1955 resolved that some members of the Legislative Council and Legislative Assembly coming from the affected areas of Shimoga, Bhadravati and Narasimharajapura be co-opted as non-official members of the above Committee and forwarding proposals in that behalf, for orders of Government.

ORDER THEREON No.P.W.A.8353-404/Irn 1-55-105

DATED, BANGALORE, THE 28th DECEMBER 1955.

12-1-56

The Ad-hoc Committee constituted in the Order of 27th August 1954 was entrusted only with the work of examining questions relating to acquisition of lands and rehabilitation of ryots affected by Bhadra Project and it has no non-official representatives. The first stage of the Bhadra Project is nearing completion and water is expected to be made available for irrigation to some extent in the near future. The Tunga Anicut Project has been completed and water has already been made available to an extent of 10,000 acres. It is necessary to constitute a Committee consisting of official-members and representatives of the people of the areas submerged by the Bhadra and Tunga Projects and the areas coming under irrigation by the schemes, for examining questions relating not only to acquisition and rehabilitation but also problems relating to the systematic and speedy development of irrigation under the Projects with a view to deriving the maximum benefit from the schemes as quickly as possible.

2. Government are therefore pleased to constitute, in place of the Ad-hoc Committee, an Advisory Body called the Bhadra and Tunga Projects Irrigation Development Committee for a period of one year

(Contd .....

in the first instance with the personnel noted below:-

(1) The Minister for Revenue and Public Works (CHAIRMAN)
(2) The Revenue Commissioner in Mysore
(3) The Chief Engineer of Mysore
(4) The Special Chief Engineer for Major Irrigation Works
(5) The Director of Public Health in Mysore
(6) The Director of Agriculture in Mysore
(7) The Deputy Commissioner, Chickmagalur District
(8) The Deputy Commissioner, Shimoga District
(9) The Deputy Commissioner, Chitaldrug District
(10) The Conservator of Forests, Shimoga
(11) Sri L.Siddappa, B.A., LL.B., M.L.A., Lingadahalli
(12) Sri B.Madavachar, M.L.A., Bhadravati
(13) Sri B.Pandurangappa Setty, Zamindar, Bhadravati
(14) Sri T.C.Basappa, M.L.A., Tarikere
(15) Sri T.Nagappa, Zamindar, Tarikere
(16) Sri S.R.Nagappa Setty, M.L.A., Shimoga
(17) Sri H.S.Ghouse Khan Zamindar and Bus Proprietor, Honnali Town
(18) Sri N.P.Govinda Gowda, M.L.C., Narasimharajapura
(19) Sri Nirvanappa, Municipal President, Narasimharajapura
(20) Sri H.M.Manjappa Gowda, Zamindar, Heddur, Muthur Hobli, Thirthahalli Taluk.

Nominations of members from the Davangere and Harihar Taluks will be considered when questions relating to rehabilitation and development of irrigation in those Taluks arise.

3. The Special Land Acquisition Officer, Bhadra and Tunga Projects will be Ex-Officio Secretary of the Committee.

4. The functions of the Committee will be advisory in nature and will include the following:-

a) Consideration of the general policies in regard to the development of the atchkat under Bhadra Reservoir and Tunga Anicut Projects, and the measures for the development of irrigation, agricultural practices, health, communications etc., in the area;

b) Examination of the crop planning programme in conformity with storage conditions and regulations in the reservoirs with a view to making the best use of the waters;

c) Arranging for the co-ordination of the activities of the different development agencies functioning in the area;

d) Consideration of the matters relating to the acquisition of lands and rehabilitation of ryots affected or displaced by the two projects;

e) Such subjects or classes of subjects as may be referred to it by the Government from time to time.

Contd .....

5. The Committee will meet at least once in 6 months at Shimoga or at the Reservoir sites or at such other places as may be appointed by the Chairman.

6. The non-official Members of the Committee will draw travelling allowance and daily allowance at the rates indicated in list "A" of Annexure 2, Section II, Mysore Services Regulations as amended from time to time.

7. The expenditure relating to the Committee will be met from the grant for the Bhadra Reservoir Project in the Budget under "68 I.N.E.D."

(H.Channiah)
For Secretary to Government,
Public Works Department.

To

The Secretaries to Government
The Revenue Commissioner in Mysore
The Chief Engineer of Mysore
The Special Chief Engineer for Major Irrigation Works
The Director of Public Health in Mysore
The Director of Agriculture in Mysore
The Deputy Commissioner, Chickmagalur District
The Deputy Commissioner, Shimoga District
The Deputy Commissioner, Chitaldrug District
The Chief Conservator of Forests in Mysore
The Conservator of Forests, Shimoga
The Accountant-General, Mysore, Bangalore (through the Financial Department)
The Other Heads of Departments
The Members of the Committee
The Director of Printing and Stationery for supply of 300 printed copies.

TSRN.

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

R.W.A. 10234 Dt. 20-2-1956.

8510 PWD(A) 4

Bhadra project – Acquisition of Structures in the Reservoir Submersion area – payment of compensation for un-authorised Structures

To

The Revenue Commissioner of Mysore
Bangalore.

Sir,

Ref: Your letter No. LI. Spl. 3/55-56 dated 23.1.56

With reference to the communication cited, I am directed to enquire the number of un-authorised Structures in the Submersion area of Bhadra Reservoir that have to be acquired and what is the approximate expenditure involved.

A reply may kindly be sent early to enable further action.

WD 0258—GPB—PZS-1,20,000—1-7-55.

5

GOVERNMENT OF MYSORE.

TOP PRIORITY' OFFICE OF THE REVENUE COMMISSIONER IN MYSORE.

No. L.Dis.C5.4111/55-56. Dated, Bangalore, 16th February'56.

Copies sent

To

The Secretary to the
Government of Mysore,
Public Works Department,
Bangalore.

Sir,

Subject:- Mysore Legislative Council - Budget Session 1956 - Starred Question No. 111 by Sri N.P. Govindagowda - Re: compensation for - - - unauthorised structures in the Bhadra Reservoir submersion Area -

Reference:-

Your letter No. P.W.B.8818-21 dated 9-2-1956.

In continuation of this Office letter of even number dated 11th February 1956, I forward herewith a copy of letter No. L.1.C.70/55-56 dated the 14th February 1956, received from the Special Land Acquisition Officer, Shimoga, on the above subject.

The Statements enclosed to the letter show that there are 35 unauthorised structures in Byrapura - - village of Narasimharajapura Taluk coming under - - submersion of Bhadra Reservoir and the total compensation as estimated by Public Works Department will come up to Rs.9,080-8-4 (Rs.6,221-12-4 for Byrapura village and Rs.2,858-12-0 for Hosahalli village) and that this amount being very meagre when compared to the expenditure for Bhadra Project, it is worthwhile paying as such a step would go a long way to mitigate the hardships to the poor displaced people of Malnad and dispel their disappointment and dissatisfaction.

Yours faithfully,

Draft approved by the)
Revenue Commissioner.)

(V. Byrappa)
For Revenue Commissioner.

D.O. No. Ll.C.70/55-56 dated 14-2-1956 from the Special Land Acquisition Officer and Secretary, Tunga and Bhadra Projects Irrigation Development Committee, Shimoga, to the Revenue Commissioner in Mysore, Bangalore.

-

With reference to Memo No. C5.4111/55-56 dated 11th February 1956, I enclose herein the statements showing the unauthorised structures coming under -- submersion area of Bhadra Reservoir in Hosahalli and Byrapura villages in Narasimharajapura Taluk, Chickmagalur District. The structures have been - - - - constructed in hiduvali lands as well as in unoccupied Government lands as described in the list. I have personally inspected the spot and the structures as described in the Statements. All the structures in these two villages are mostly thatched sheds. The P.W.D. authorities have estimated the value of these thatched sheds in this malnad area. Owners of - - these structures have been assessed to pay V.P. Tax. The Revenue authorities who have been fixing the V.P. demands of these villages during Jamabandi have not attempted to regularise the structures. No action has been taken for alienation of these area when - - structures have been constructed.

The Ad-hoc Committee constituted to examine - - Bhadra Reservoir rehabilitation and compulsory acquisition problems have examined this question and the Chairman of the Ad-hoc Committee and the Revenue - - Commissioner has requested the Government to pay - - compensation to all the structures constructed with or without permission in submersion area. It is clear the total compensation as estimated by P.W.D. in - - Byrapura and Hosahalli villages will be Rs.6,221-12-4 for Byrapura village and Rs.2,858-12-0 for Hosahalli village. The main Committee desired that the compensation to these structures has to be paid as the total compensation amount will be very meagre when compared to the expenditure for Bhadra Project that has to be incurred.

I have furnished the above information with a consolidated list as desired by you.

With respects,

-

"Copy"

(V. Byrappa)

For Revenue Commissioner.

Rh

STATEMENT SHOWING THE UNAUTHORISED STRUCTURES COMING UNDER SUBMER

Serial number.	Khanoshumari Number.	V.P. Tax.	Locality in which structures are in existence Gavutana or Survey Number.	Whether the Survey Number is being cultivated.	Name of the Khathedar of the Survey Number	Name of the Tenant.	Ownership and particulars of Name of the Owner.	Since how long the structures is in existence.	Kind of Structures
1	2	3	4	5	6	7	8	9	10
1	19	1-1-6	S.No.7		Mahabala Setty N.R.Pura	Surappa Setty	Mahabala Setty & Surappa Setty	2 years	Thatched r mud floori Cattle sh
2	3	1-1-6	S.No.5	yes	Nagesharao S/o Kalasappiah Tarikere Town.	Channappaiah	Rudrappa S/o Kundurappa	18 years	Thatched and mud f
								5 years	Thatched
3	4	1-1-6	Ditto	Yes	Ditto	Ditto	Sannasiddappa S/o Guttappa	18 years	Thatched walls and Thatched
4	2		Ditto	yes	Ditto	Ditto	Sangappa S/o Siddappa	Ditto	Thatched and floor
									Thatched (Granery 7
									Thatched
5	1	--	Ditto	yes	Ditto	Ditto	Public - Sri Veerabhadraswamy Temple	very old building	Thatched r und mud fl ing
6	12	1-1-6	S.No.14	yes	Byra S/o Putta	Ditto	Kenchappa S/o Doddarangappa	3 years	Thatched Ko
7	11	1-1-6	Ditto	yes	Ditto	Ditto	Yellamma W/o Byra	4 years	hatched r wall and f Thatched K
								15 years	
8	14 & 15	2-3-0	Ditto	yes	Ditto	Ditto	Byra S/o Putta	10 years	Thatched r wall and f
								25 years	Thatched K
9	6	1-1-6	Ditto	yes	Ditto	Ditto	Siddappa S/o Lingappa	10 years	Thatched r a nd floori
								20 years	Thatched K
								10 years	One panath walls
10	7	1-1-6	Ditto	yes	Ditto	Ditto	Menasa S/o Boora	25 years	Thatched r wall and m with one th Kotigo
11	9 15	2--3-0	Ditto	yes	Ditto	Ditto	Muthigo Rangappa S/o Durgappa	10 years	Thatched r wall & floo
								15 years	Kotigo
12	--	1--1-6	Ditto	yes	Ditto	Ditto	Subba S/o Guttiga	10 years	Thatched r wall and f
								"	Thatched K
								3 years	One panath

N OF BHADRA RESERVOIR IN HOSAHALLY VILLAGE, NARASIMHARAJAPURA TALUK, CHIKMAGALUR DISTRICT.

ructures.	Measurement and valuation furnished by the P.W.D. authorities.			Boundaries.			
	Dimension	Plinth area in Sq.Ft.	Net value fixed. by P.W.D.	EAST.	WEST.	SOUTH	NORTH.
	11	12	13	14	15	16	17
ng Mud wall	25 x 15 6 x 15	465	234--6-6	S.No.6	R.S.No.7	R.S.No.7	R.S.No.7
ing mud wall ring	22 x 14	298	86--5-0	R.S.No.5	House of Sangappa	R.S.No.5	R.S.No.5
go	14½ x 13 15 x 10	383	28--14-0				
ing mud oring ge	23 x 14 30 x 15	322 450	93--0-0 38-12-0	House of Reddrappa	R.S.No. 5	R.S.No.5	R.S.No.5
ing mud wall	27 x 15	405	117--1-0	Ditto	Ditto	Ditto	Ditto
ing Panatha ametere)	--	--	15--0-0				
go	21 x 13 30 x 15	723	602-2-0				
mud wall mx. floor-	32 x 19	608	175-12-0	R.S.No.5	Ditto	Ditto	Ditto
)	30 x 15	450	38--1-6	House of Govinddppa	R.S.No.10	Road	R.S.No.14
with mud ring	17 x 12	204	58--15-0	House of Yellamma	Cattleshed of Kenchappa	Ditto	R.S.No.14
go	18 x 14	238	23--0-0	Cattle shed of Byra S/o Putta	Dwelling house of Govinddppa	Ditto	Ditto
with mud ring	44 x 20 18 x 26	1348	189-10-6	Ditto	House of Sidda S/o Linga Vacant site	Ditto	House of Siddappa
ge	53 x 15	795	60--8-0	Road	House of Yellamma	Ditto	R.S.No.14
mud wall	2 4 x 18	432	123-10-0	House of Byrappa	Vacant site	Ditto	Ditto
d mud	27 x 17	459	39-12-0	House of Subbiah	House of Rangappa	Ditto	Ditto
d thatt	6' Diame-tere 7½8 Height	--	15--0-0	Vacant Site	Vacant site	Ditto	House of Byrappa
ing mud flooring ned	29 x 15 17 x 14 23 x 13	435 551	125-12-0 47--5-6	House of Muthigo Rangappa	Road	Ditto	S.No.14
ing mud ng	27 x 18	486	140--7-6	Cattle shed of Siddappa	House of Honnag	Ditto	Ditto
tchod	27 x 14	378	35--1-0	House of Rangappa	Vacant site	Ditto	Cattle shed of Rangappa
ing, mud ring ge	29 x 18 30 x 14	522 420	122-12-0 33--1-6	House of Kenchappa	Cattle shed of Siddappa	Ditto	R.S.No.1
id wall	6' Diametere 7½' Height	--	15--0-0	House of Doddaguttappa	Cattleshed of Siddappa	Ditto	Cattlesh of Rangappa.

1	2	3	4 (a)	5	6	7	8	9
13	17	1-1-3	S.No.14	Yes	Byra S/o Pakka	Chennappa	Kenchappa S/o Kenchappa	10 years
14	18	1-1-3	Ditto	yes	Ditto	Ditto	Kanjappa S/o Korchyappa	8 years 15 years 10 years
15	19 (a) (3)	2-2-0	Ditto	yes	Ditto	Ditto	Lokkavalli Kappa S/o Guttappa	4 years
16	18	--	Ditto	yes	Ditto	--	Doddaguttappa S/o Erappa	3 years
17	20	1-1-3	Ditto	yes	Ditto	--	Ramappa S/o Erappa	15 years
								25 years
								10 years

Remarks: 1) The sites occupied by the Structures are not allocated for dwelling

2) The structures are not authorised as Farm Houses.

Remarks: Column in respect of Survey Number 7 and Serial Number 1:- The shed construct
It stands in the h

Ditto 5 Ditto 2 to 5: The Sheds are utili
by the tenants shar
in the ratio of 1
for dwelling purpo

Ditto 14 This is entirely o
land of the respo
that any land in

10	11	12	13	14	15	16	17
Thatched roof and wall and flooring Thatched Kotiga	29 x 18 20 x 15	522 300	12'-10"-0 8'-10"-0	[illegible]	[illegible]	[illegible]	R.S.No.14 Ditto
Thatched roofing and wall and flooring Thatched Kotiga	18 x 17 25 x 17 20 x 15	306 725	8'-9"-0 8'-0"-0 8'-0"-0	R.S.No.14	[illegible]	Ditto	Ditto
One Pandha and thatched wall	6' Diametre 7' Height		15'-0"-0				
Thatched roof, and wall and flooring Thatched Kotiga	41 x 17 17 x 15 13 x 10	697 383	15'-10"-0 8'-0"-0	R.S.No.14	[illegible]	Ditto	Ditto
Thatched roofing, and wall and flooring	21 x 16	336	8'-0"-0				
Thatched Kotiga	14 x 10	140	8'-0"-0	[illegible]	Vacant site	Land [illegible]	[illegible]
Thatched roof and wall and and flooring	21 x 17	483	10'-0"-0	Vacant site	Cultivated [illegible]	Ditto	R.S.No.14
Kotiga	27 x 17	459	20'-7"-0	R.S.No.14	[illegible]	[illegible]	[illegible]
One Pandha, and thatched wall	6'Diametre Height 7½'		15'-0"-0				

purposes

exists in the Khata portion of this survey number. The land is being cultivated
n of Mahalaxmi. There is no entry in the R.R. Index extract that the house is constructed.

ng was in the Dry area of this survey number. The wet area of this S.No. is being cultivated
ppa who is put in a mud shed belonging to Mamsa S/o Bacha Vadi Pl.No. 20. The house stands
Bacha Ro Tehikare Tom. There is no entry in R.R. Index that any area is set apart for
es.

dry land in the khata of Byrappa. The houses and one building on a small piece of land in this
ing extent is being cultivated by the khatedar himself. There is not entry in R.R. Index extract
o survey number is set apart for building purposes

Hanmagadavar 21/1/56

Special Land Acquisition Officer,
Hubli and Dharwar Railway,
Chicago

9

No. C5.L1.Spl.C.3/55-56.

Office of the Revenue Commissioner
in Mysore,
Bangalore dated 22nd February 1956

To

The Secretary to Government of Mysore,
Public Works Department, Bangalore.

217A.

MYSORE GOVT. SECRETARIAT
No. 9493/A
PUBLIC W'KS BRANCH

SECRETARY TO
Date PW 24/2
PUBLIC WORKS

Sir,

Subject: Bhadra Project-Acquisition of structures in the reservoir submersion area--payment of compensation for unauthorised structures.

-.-

Reference: Your letter No. P.W.A. 10234 dated 20-2-1956.

-.-

With reference to the above, I write to state that there are 35 unauthorised structures in Byrapura and 17 in Hosahalli village of Narasimharajapur taluk coming under submersion of Bhadra Reservoir and the total compensation as estimated by Public Works Department will come up to Rs. 9,080-8-4 (6,221-12-4 for Byrapura village and Rs. 2,858-12-0 for Hosahally village).

The detailed statement received from the Special Land Acquisition Officer, Shimoga, in this behalf have been sent to you with this office letter No. L.Dis.C5-411/55-56 dated 17-2-1956 in connection with " starred question No. 111 by Sri. N.P. Goindagowda Mysore Legislative Council Budget session 1956.".

Yours faithfully,

(V.Byrappa)
for Revenue Commissioner.

Draft approved by the
Revenue Commissioner.

°Ls/

Government of Mysore.

Office of the Revenue Commissioner
in Mysore,
Bangalore, Dated, 3rd March 1956.

No.C5-Ll-Spl.C.3/55-56.

2245.

To

The Secretary to the Government of Mysore,
Public Works Department, Bangalore.

Sir,

Subject: Bhadra Project - Acquisition of structures in the reservoir submersion area - payment of compensation for unauthorised structures.

Reference: Your letter No.P.W.A.10234 dated 20-2-1956.

-

With reference to the above, I write to state that the Special Land Acquisition Officer, Shimoga now reports in his letter No.LlC.70/55-56 dated 25-2-56 (copy enclosed) that the valuation particulars of the unauthorised structures found in villages other than Byrapura and Hosahalli in the submersion area have not yet been furnished by the Public Works Department authorities and that the particulars already furnished relate to Byrapura and Hosahalli villages only. I have therefore asked him to obtain the full particulars ~~early~~ and furnish the same as early as possible. On receipt I will furward the same to you immediately.

Yours faithfully,

(V.Byrappa)
For Revenue Commissioner.

Draft approved by the Revenue Commissioner.

Letter No.Ll-C.70/55-56 dated 25th February 1956 from the Special Land Acquisition Officer, Tunga and Bhadra Projects, Shimoga, to the Revenue Commissioner in Mysore, Bangalore.

Subject:- Bhadra Project - Acquisition of Structures in the reservoir submersion area - payment of compensation for unauthorised structures.

With reference to your letter No.C5-Ll-Spl.C3/55-56 dated 22-2-56 addressed to the Secretary to Government of Mysore, Public Works Department, Bangalore, and copied to this office on the above subject, I write to state that Public Works Department authorities have furnished valuation only in respect of two villages viz., Byrapura and Hosahalli. The valuation particulars of the rest of the villages have not yet been received from the Public Works Department authorities.

"Copy".

(V.Byrappa)

For Revenue Commissioner.

mrr

M: G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

9493J 9793 12
PWD(A)

B.R.P. — Submission of Structures in the Reservoir Submersion area — payment of Compensation for un-authorised Structures.

To

The Revenue Commr. at Mysore,
Bangalore.

Sir,

Ref: your letters No. C.S. LI.SP.C. 3/55-56 dated 22.2.56 and 3.3.56.

With Reference to the communications cited, I am directed to request you kindly to send a report furnishing details of the un-authorised Structures in the entire Submersion area of the Bhadra Reservoir and the total cost of all such

P.W.A-667
D. 28.4.56

Back to CW. after issue
Amz
26/4/56

all the Villages

WD 0258—GPB—PZS-1,20,000—1-7-55.

13

Structures to enable further action.

Yours faithfully

Sec. to Govt.

Govt. Pakistan.

Sms 13/4/56

13/4/56

9793 pwCAS 14

Draft Council Note.

Sub: Payment of compensation for un-authorised structures in the Bhadra Reservoir Submersion area.

In the Malnad area, un-authorised structures ~~are stated to exist~~ not only on occupied agricultural land but also on Government waste and assessed waste lands. ~~Structures exist in Gavatana which was never purchased from Government. All the same~~ structures have been put up long ~~back~~ and have been in the ~~enjoyment of the parties~~. The Village Panchayats are recovering taxes on such structures.

~~In the Bhadra Reservoir Submersion area there are many such un-authorised structures.~~ In view of the difficulties ~~and disappointments~~ experienced by the ryots who have to be shifted from the submersion area, the Ad-hoc Committee for the Acquisition of Lands and Re-habilitation of Ryots under the Bhadra Project recommended that the un-authorised structures in the submersion area be treated as farm houses and reasonable compensation paid to the owners. The Revenue Commissioner requested in July 1955 for sanction to the recommendation. With reference to the proposal, the Law Secretary opined that payment of compensation in the case of un-authorised structures was not a legal necessity but could be justified on considerations of equity. It was therefore ordered that compensation need not be paid where Government was not legally bound to pay it.

However, the Revenue Commissioner, at the instance of the Ad-hoc Committee again requested for reconsideration of the orders already passed and sanction to the payment of compensation for the un-authorised structure in the Bhadra Reservoir Submersion area. It was also reported that the number of unauthorised structures is 35 in Byrapura valued at Rs.6221-12-4 and 17 in Hosahalli village of Narasimharajapur Taluk valued at Rs.2858-12-0 involving

a total cost of Rs.9080-8-4.

The amount involved, as reported by the Revenue Commissioner, being small when compared with the expenditure to be incurred on acquisition and rehabilitation in connection with the Bhadra Project, it was proposed to sanction payment of compensation in the case of un-authorised structures also, subject to a ceiling of Rs.10,000/- for the whole project and without acknowledging legal liability in that behalf. The Revenue Secretary has concurred in the proposal with the observation that it should not serve as a precedent and as the payments are based on considerations which are equitable rather than legal, a sum of Rs.10,000/- may be placed at the disposal of the Revenue Commissioner for making ex-gratia payments and that it is not desirable that these payments should be made by the Land Acquisition Officer as compensation.

The Financial Secretary has noted as follows:-

"There is no question of payment of compensation at all. The payment of ex-gratia grants is quite a different matter. Unless it is in accordance with any accepted public policy payment of any amount for un-authorised constructions would only be to put a premium upon infringement of law by rewarding it. If the proposal is to be approved nevertheless, the matter may be decided in Council".

The Minister for Revenue and Public Works has agreed with the Financial Secretary.

The Revenue Commissioner has subsequently reported that the valuation particulars already furnished by him relate to Byrapura and Hosahalli villages only and that the particulars of the valuation of un-authorised structures found in other villages in the submersion area of the Bhadra Project have not yet been furnished by the Public Works Department and that the full particulars will be furnished on receipt.

The matter is therefore for disposal at a meeting of the Council.

26/5/56

Secretary to Govt., P.W.D.

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT

(Continuation sheet draft form).

PWA · 1682 GJ 9-6-1956

9793 PW(A) 56

B.R.P — Acquisition of Structures in the Reservoir Submersion area — payment of compensation for un-authorised Structures

To

The Revenue Commr. in Mysore Bangalore

Sir,

Ref: This office No. PWA. 667 dated 28.4.56.

With reference to the communication cited, I am directed to request that the Report thereon called for may kindly be expedited.

Yours faithfully

for
6/6
Secy to Govt
PWD
5/6/56

WD 0258—GPB—PZS-1,20,000—1-7-55.

17

GOVERNMENT OF MYSORE.

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE,

No. C5-L..Spl.C.3/55-56

BANGALORE, Dated, 5th July 1956.

MYSORE GOVT. SECRETARIAT No. To. 2198/A PUBLIC WORKS BRANCH

717

The Secretary to the Government of Mysore,
Public Works
~~Revenue~~ Department, Bangalore.

Sir,

SECRETARY TO GOVERNMENT Date 6/7 PUBLIC WORKS & ELEC DEPTT.

Subject: Bhadra Reservoir Project - acquisition of structures in the reservoir submersion area - payment of compensation for unauthorised structures.

Reference: Your letter No.PWA.667 dated 28-4-56 and Reminder No.PWA.1682 dated 9-6-1956.

-

With reference to the above, I write to state that the Special Land Acquisition Officer, Shimoga, who was asked on 5-3-1956 to obtain full particulars on the above subject from Public Works authorities and furnish the same, has not yet done so in spite of a reminder. He has again been reminded today to expedite his report. On its receipt the same will be forwarded to Government.

Yours faithfully,

(V.Byrappa)
For Revenue Commissioner.

mrr.2

18

No. L.I.C. 3/55-6

Office of the Spl.Land Acqn, Officer,
Tunga and Bhadra Projects,
Shimoga, dated 9th July 56.

SECRETARY TO GOVERNMENT
Date. 12/7/56
PUBLIC WORKS & ELEC. DEPTT.

740

To

The Secretary to Government of Mysore,
Public Works Department,
Bangalore.

No. 2278/A
PUBLIC WORKS

Sir,

Sub: Bhadra Reservoir Project - acquisition of structures in the reservoir submersion area payment of compenation for unauthorized structures.

- - - -

With reference to the letter No.C5-L.Spl.C.3/55-6 dated, 5th July 56 from the Revenue Commissioner, in Mysore, Bangalore addressed to you and copied to this office on the above subject, I write to state that Public Works Department authorities concerning to the project have furnished the valuation of all the structures both authorized and unauthorized in respect of 8 villages noted in the margin.

1.Byrapura.
2.Hosahalli.
3.Malalahole.
4.Haledanivasa.
5.Tadasa.
6.Nandigave.
7.Vittala.
8.Nelagadde.

As this period is rainy season, in Malnad area, it is difficult to tour in the interior villages and ascertain information from the owners of the structures as they are busy in agriculture operation. However, the Special Amildar, Rehabilitation Work, N.R. Pura has been instructed to examine the above subject with reference to remaining villages provided the valuation statements are received from Public Works Department authorities of Bhadra Project. The Public Works Department authorities have been addressed to send the valuation statements of the remaining villages as early as possible to take further action in this behalf. A comprehensive report will be submitted for your kind perusal, soon after the receipt of the information from the concerned Officers.

Yours faithfully,

(H.L. Lingaraj Urs, 9/7
Special Land Acquisition Officer,
Tunga and Bhadra Projects,
Shimoga.

Mkm/9-7

793/2198/2278
pw CAS.19

SECRETARIAT.

(Continuation sheet draft form).

PWA·3220
B) 26-7-1956

S.R.P — Regunlation of Structures in the Reservoir submersion area — payment of compensation for un-authorised Structures.

To

The Revenue Commr. at Mysore

Bangalore.

Sir,

Ref: 1) This office No. PWA. 667 dated 28.4.56.

2) T.O. No. PWA. 1682 dated 9.6.56.

3) Your letter No. C.5-L.Spl.C.3/55-56 dated 5.7.56.

With reference to the communications cited, I am directed to request that particulars called for in reference (1) above may kindly be expedited.

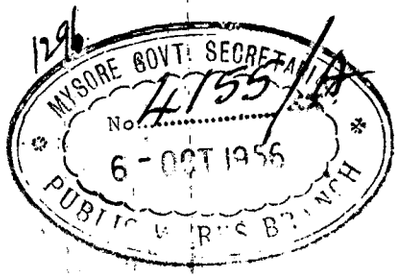
Yours faithfully,

for Secy to Govt.
PW D

WD 0258—GPB—PZS-1,20,000—1-7-55.

xtracts of the Proceedings of the ~~Guest~~ Second Meeting of Tunga and Bhadra Projects, Irrigation Development Committee meeting held ~~at the Conference Hall~~ in the Chambers of Minister for ~~Irrigation and Power~~. Rec'd PW on 23.6.56 at B'lore.

129



SUBJECT 7.

(b) Compensation to be given to all the houses that come under submersion whether houses were built after alienation or not.

Resolution:

In view of the fact that in Malnad about 90% of the cases, Agriculturists have built houses without observing the usual rules, the Committee resolved to request the Government to pay compensation to all the structures whether built with or without permission.

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(1) PWH 8/10/56

(Continuation sheet draft form).

P.W.A. 5213 dy 9/10/56

4 2278 V 4155 21
PWA

B. R. P — Acquisition of Structures in the Reservoir Submersion area — Payment of compensation for un-authorised Structures.

To

The Revenue Commissioner in Mysore,
Bangalore.

Sir,

Ref: This office Nos. PWA

(1) 667 dated 28.4.56.

(2) 1682 dated 9.6.56.

(3) 3220 dated 26.7.56.

I am directed to invite reference to the communications cited and to request that the particulars called for in reference (1) may kindly be expedited.

Yours faithfully,

for 6/10

D. Secy to Govt
Irrig Branch.

5/10/56

WD 0258—GPB—PZS—1,20,000—1-7-55.

22

1921

At the meeting of the Tuhga and Bhadra Irrigation Development Committee held today, the Divisional Commissioner, Mysore Division, stated that he had referred to Government, the following two questions for orders:-

(1) Empowering the Deputy Commissioners specially to grant upto 20 acres of land to displaced persons of Bhadra and Tunga submersion areas; and

(2) payment of compensation in respect of unauthorised structures in submersion areas.

It is presumed that the first question is pending in the Revenue Secretariat. Regarding the second question, I remember it was considered once before and turned down on the advice of Finance. The connected papers may be put up for reconsideration as the Committee resolved that the matter be examined once again by Government.

Regarding the question No.1, a note may be passed on to the Revenue Secretariat for necessary action.

Major Irrigation Branch)

14/12/56.

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

No. PWD 49-497 dt 24-12-56

23

2278 / H1SA / 569

PW(NS)

B.R.P— Requisition of Structures in the Reservoir Submersion area — Payment of Compensation for un-authorised Structures.

To

The Dist Commr.

Mysore Dist

Mysore

Sir

Ref: This office Nos PWD

(1) 667 dated 28.4.56

(2) 1682 dated 9.6.56

(3) 3220 dated 26.7.56

(4) 5213 dated 9.10.56

I am directed to invite reference to the Communications cited and to request that the particulars called for in reference (1) above may kindly be expedited to — enable

WD 0258—GPB—PZS-1,20,000—1-7-55.

Extract of the recommendations made by the Tunga and Bhadra Project Irrigation Development Committee at its 4th meeting held on 14-12-1956.

MYSORE GOVERNMENT SECRETARIAT
NO. 1564
31 JAN 1957
PUBLIC WORKS MAJOR IRRIGATION BRANCH

SUBJECT NO. 9.

(d) PAYMENT OF COMPENSATION TO UN-AUTHORISED STRUCTURES IN MALNAD AREA.

Resolution:-

Sri. G.N. Nagaraja Rao, I.A.S., Divisional Commissioner, Mysore, stated that the lands on which the structures are put up are not alienated in B.R. sub-mersion area. There are unauthorised structures. If a legal view is taken a majority of holders have to be denied even the payment of compensation. The Special circumstances under which these people have to migrate to the new places leaving their lands and houses, deserve sympathetic consideration. It is necessary that structures of B.R. submersion area have to be treated as farm houses and reasonable compensation paid to the owners, as it was done in the caseof displaced ryots of Hirebhaskar Project, Sagar.

The Committee resolved that Government may be requested to accord sanction for payment of compensati... to the owners of structures built ~~ex~~ with or without permission in the Bhadra Reservoir sub-mersion area.

The Chairman then thanked the members present and the meeting terminated.

1564 27
TY.

Appendix F. G.—1]

SUBJECT Acquisition of SC reclaim in the Reservoir Submersion area — payment of Compensation for the authorised SC reclaim

D. O. No PWD-121) 26.2.57)

Diary No. of letter replied to .....

Section

File No.

Serial No.

No. Dear Sir,

To

Ref. T.O. Nos. PWD

(1) 667 dt 28.4.56

(2) 1682 dt 9-6-56

(3) 3220 dt 26.7.56

(4) 5213 dt 9-10-56

(5) PWD. dt 24-12-56

I am desired to invite reference to the Communication cited and to state that the matter is pending for a long time for want of a reply from you. I am to request you kindly to expedite the ~~same~~ so enable further action being taken ~~as to take a final decision~~ in the matter.

With regards. 4/6

Dy. 4/2/57 Supdg. 5/2/57

5.2.1957

WD-05447-GPB—P.Z.S.— 90,000-27-9-56.

PWD 19 BRP 57

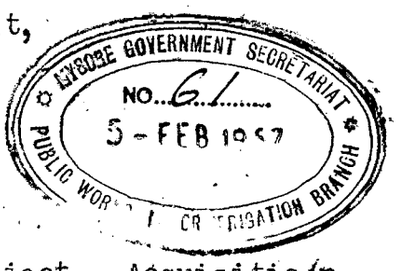
26

No.A10.6508/56-57.
Encls: 2

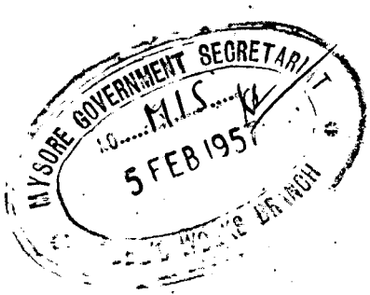
Office of the Divisional Commissioner,
Mysore Division, Mysore, the 3rd February 1957.

To

The Secretary to Government,
Public Works Department,
BANGALORE.



Sir,



Sub:- Bhadra Reservoir Project - Acquisition of structures in the Reservoir submersion area - payment of compensation for unauthorised structures.

Ref:- Your letter No.P.W.A.667, dated 28-4-1956 & subsequent reminders ending with No.PWMI-497 dated 24-12-1956.

-.-.-

HVS

With reference to the above, I write to enclose herewith copies of Special Land Acquisition Officer's ad-interim reports dated 9-7-1956 and 8-8-1956 for information of Government. He has again been reminded to expedite his final report in the matter.

Yours faithfully,

(D. M. R. MANAY)
for DIVISIONAL COMMISSIONER.

Rev
4/2

Copy of letter No. L1.C.3/55-6 dated 8-8-1956 from the Special Land Acquisition Officer, Tunga and Bhadra Projects, Shimoga, to the Revenue Commissioner in Mysore, Bangalore.

Sub.:- Bhadra Reservoir Project Acquisition of structures in the Reservoir Submersion area - payment of compensation for unauthorised structures.

With reference to your letter No. C5.L1.Spl.C.3/55-6 dated 2-8-1956 on the above subject, calling for final report in the matter, I write to state that valuation statements of the remaining villages of the B.R. Submersion area have not yet been received from the Public Works Department authorities concerning to the Project. They have to be received from the Executive Engineer, No. 1., B.R.C. Division, B.R. Project. Again he has been to-day requested to expedite the despatch of the valuation statements early.

A final report will be submitted soon after the receipt of the same from the Public Works Department authorities.

Copy of letter No. L1.C.3/5566 dated 9-7-1956 from the Special Land Acquisition Officer, Tunga And Bhadra Projects, Shimoga, to the Secretary to Govt. of Mysore, Public Works Department, Bangalore, and copied to the Revenue Commissioner, in Mysore, Bangalore.

With reference to the letter No. C5.-L.Spl.C.3/55-6 dated 5th July, 1956 from the Revenue Commissioner in Mysore, Bangalore, addressed to you and copied to this office on the above subject, I write to state that Public Works Department authorities concerning to the project have furnished the valuation of all the structures both authorised and unauthorised in respect of 8 villages noted in the margin.

1. Byrapura.
2. Hosahalli.
3. Malalahole.
4. Haledanivasa.
5. Tadasa.
6. Nandigave.
7. Vittala.
8. Nalagadee.

As this period is rainy season, in malnad area, it is difficult to tour in the interior villages and ascertain information from the owners of the structures as they are busy in agriculture operation. However, the Special Amildar, Rehabilitation work, N. R. Pura has been instructed to examine the above subject with reference to remaining villages provided the valuation

P.t.o.

valuation statements are received from the Public Works Department authorities of Bhadra Project. The Public Sank Works Department authorities have been addressed to send the valuation statements of the ramaining villages as early as possible to take further action in this behalf. A comprehensive report will be submitted for your kind perusal, soon after the receipt of the information from the concerned officers.

"COPY"

(D. M. R. MANAY.)
FOR DIVISIONAL COMMISSIONER,
MYSORE DIVISION.

KPR/3-2-57.

DUO 19 BRP 57

29

ppendix F. G.—1]

UBJECT..... Acquisition of Structures in the Reservoir Submersion area Payment of Compensation for unauthorised Structures.....

Diary No. of letter replied to .....

Section

File No.

Mysore Government Secretariat.

Serial No.

( )

the 1

No. PWA 19 RRS-) A1-(8.2.57)

To

Dear Sir,

Ref:- T.O. Nos. PWA

(1) 667 dt 28-6-56

(2) 1682 dt 9-6-56

(3) 3220 dt 26-7-56

(4) 5213 dt 9-10-56

(5) P.W.R.J. dt 26-12-56

(6) P.W.R.J 1217 dt 6-2-57

(7) your letter No A 10-65-8/56

-7 dt 3-2-57.

I am desired to invite reference to the Communication cited and to state that inspite of repeated reminders regarding the above subject the particulars called for already are not yet furnished.

0 Hence

~~As the matter is urgent~~

I am to request that the matter may kindly be looked into personally and a report sent to Govt within a ~~week~~ weeks' time.

Yrs

G. N. Nagaraja Rao.

Addl Commr

Mysore Dtt

Mysore

Y/S.

14/4/87

for Secy to Govt

PWD.

Copy of the above is forwarded to:

(1) The Spl Land Acqn officer Tyagi Bhadra projects, Shimoga

(2) The Exe Engr No 1 Bhadra Reservoir Construction Div, B.R. project

for information and to forward the required particulars in about a week's time thro the Addl Commr Mysore.

14/4/87

for Secy to Govt

PWD

14/4/87

14/4/87

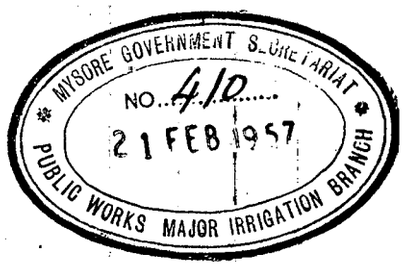
PWD 19 BRP 57

31

No. L.I.L.A.C. 2 and 3/56-57

Encl: Two.

Office of the Special Land Acquisition Officer,
Tunga And Bhadra Projects.
SHIMOGA. Dated.....
19th February 1957.

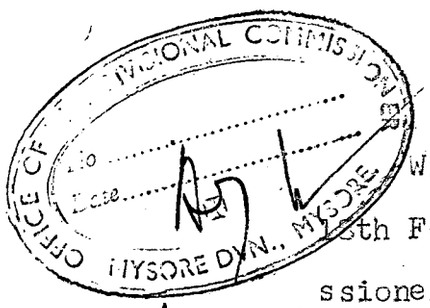


To

The Divisional Commissioner,
Mysore Division,
MYSORE.

Sir,

Sub:- Acquisition of structures in the Reservoir submersion area - payment of compensation for unauthorised structures.

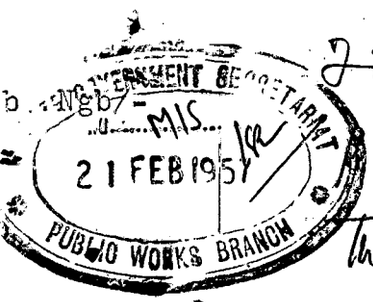


With reference to D.O. letter No.19/BRP/57 dated 15th February 1957 addressed to the Divisional Commissioner, Mysore by the Secretary to Government, Public Works Department, Bangalore, I write to enclose a copy of the letter, No.L.I.L.A.C. 2 and 3/56-57 dated 14-2-57 with its enclosure addressed to the Divisional Commissioner, Mysore Division, regarding the payment of compensation to structures in B.R. submersion area built with or without permission. I solicit further instructions.

Yours faithfully,

(H.L. Lingaraj Urs) 19/2/57
Special Land Acquisition Officer,
Tunga and Bhadra Projects,
Shimoga.

No. A.10 6508/56-57



Forwarded to the Secretary to Govt. Public Works Dept, Bangalore as this is addressed to this office. A reply on the subject has been separately forwarded with this office letter no A10 · 6508/56-57 of 20.2.57

20.2.57
for Dy Comr Mysore

Copy of the letter No.Ll LAC 2 & 3 /56-57 dated 14-2-1957 om the Special Land Acquisition Officer, Tunga and Bhadra Projects Shimoga to the Divisional Commissioner, Mysore Division, Mysore, and copied to the Deputy Commissioner, Shimoga. Chikkamagalur.

-

Sub:- Acquisition of structures in the B.R. submersion area and the payment of compensation to the unauthorised structures.

Ref:- Your letter No.A10-6508/56-57 dt-3-2-57 addressed to the Secretary, P.W.D. Bangalore and copied to this office.

With reference to the above, I write to state that it was decided in the 11th meeting of the Tunga and Bhadra Projects Irrigation Development Committee, to pay compensation to the structures of B.R. submersion area built with or without permission. The Committee had taken a sympathetic view on the displaced ryots of the B.R. submersion area, who are mainly depending upon the agriculture as profession from the time immemorial. The displaced ryots are asked to quit from their fertile lands which will come under waters of Bhadra Reservoir. Nearly 80 feet of the dam is already constructed. Statstical information of the unauthorised structures as to the vauluation in respect of 25 villages of B.R. submersion area, cannot be secured at this stage along. P.W.D. authorities have to value the structures and the Revenue authorities have to institute enquiry. Special Land Acquisition officer has to pass award fixing reasonable values in respect of the structures in consultation with the P.W.D. authorities, on the meritis of each individual ~~case~~ case. Byrapura, Hosahalli and Malalahole etc., are the villages which are going to be submerged in the year 1957. The then Revenue Commissioner and the Chairman of the Rehabilitation Ad Hoc Committee had toured in these areas and has recommended for sanction of payment of compensation to the structures built with or without permission in B.R. submersion area as a special case. It is ascertained that a similar privilege was extended to the displaced ryots of the Hirebhaskar Project submersion area

p.t.o.

33

In the Revenue Officers' meeting held on 12-12-1956 at Chickmagalur, the Divisional Commissioner, Mysore stressed that advance action has to be taken in connection with rehabilitation work of B.R. submersion area and acquisition work. The displaced ryots are urging for payment of compensation for the structures. Five villages are going to be formed in N.R.Pura taluk, and these displaced ryots have tobe rehabilitated in the new villages, Unless the compensation is paid well in advance to the owners of structures, it will be a great hardship to the displaced ryots who have to be rehabilitated in the new villages. The Special Amildar, N.R.Pura, has stated that compensation has to be paid to these ryots (villagers) early. The letter of Special Amildar is also enclosed for kind perusal.

In view of the above circumstances, I request you kindly to recommend to Government for sanction of payment of compensation to the structures built with or without permission in B.R. submersion area on the strength of the resolution of the rehabilitation Ad Hoc Committee, Bhadra Project. The acquisition records for structures of Byrapura, Hosahalli have been submitted for kindly obtaining early sanction of Government.

/copy/

Harinarayan

Special Land Acquisition officer,
Tunga and Bhadra Projects,
Shimoga.

Ps/

Letter No.PR 193/56-57 dt. 18-2-1957 from the Special Amildar, Rehabilitation Work, N.R.Pura, to the Special Land Acquisition Officer, Tunga and Bhadra Projects, Shimoga.

--

Sub:- Payment of compensation in respect of buildings in the villages that come under submersion.

With reference to the above, I write to state that the marginally* noted villages come under submersion during the coming monsoon --The displaced ryots of these villages have to be rehabilitated early. Compensation in respect of structures in these villages has not yet been paid. The ryots are urging for payment of compensation for the structures without delay. As the villages mentioned above come under submersion shortly, the expropriated ryots have to build up structures at the new places well in advance after leaving their old places. After the structures come under submersion it will not be possible to inspect the buildings and make necessary enquiries as per Land Acquisition Act.

* 1.Byrapura
2.Hosahalli
3.Nelagadde
4.Tadasa
5.Vittala
6.Malaluhole
7.Gorgal
8.Holedenivasa
9.Nandigave.

As the expropriated ryots are urging for payment of compensation, I request that necessary arrangement may kindly be made for payment of compensation in respect of the buildings in the submergeable villages within a month.

In the submersion area there are a few unauthorisied structures in every villages. The compensation has to be paid in respect of these structures also as they are in existence since a long time. The unauthoriesed structures are not substantial ones but they are only thatched huts; the cost of which would be very little. As per opinion of the Public Works Department 50% of the value will be deducted towards depreciation on these structures.

/copy

Ps/

Special Land Acquisition officer,
Tunga and Bhadra Projects,
Shimoga.

PWD 19 BRP 57

35

No.A10.6508/56-57. Office of the Divisional Commissioner,
Mysore Division,
Dated Mysore the 20th February 1957.

To

The Secretary to the Government of Mysore,
Public Works Department,
Bangalore.

Sir,

Subject:- Bhadra Reservoir Project -- Acquisition of structures in the reservoir submersion area -- payment of compensation for unauthorised structures.

References:- Your letter No.P.W,A.667 dated 28-4-56 and subsequent reminders ending with letter No.PWD.19 BRP 57 dated 18-2-57.

In continuation of this office letter of even number dated 4-2-57, I forward herewith a copy of letter No.L1.LAC. 2 and 3/56-57 dated the 14th February 1957 and of its enclosure viz., report dated 14-2-57 of the Special Amildar, Rehabilitation work, Narasimharajapura, received from the Special Land Acquisition Officer, Tunga and Bhadra Projects, Shimoga, on the above subject, and request that in the circumstances explained in the reports of the Special Amildar, Narasimharajapura and the Special Land Acquisition Officer, Shimoga, orders of Government may kindly be obtained very early for the payment of compensation to the structures built with or without permission in B.R. Submersion area in view of the decision arrived at by the Tunga and Bhadra Projects Irrigation Development Committee held on 23-6-56 in the Chambers of the Minister for Revenue and Public Works and in view of the urgency of the matter.

It is stated that the exact valuation of all the unauthorised structures in the entire B.R.Submersion area (25 villages) is not possible to be furnished immediately for the reasons explained by the Special Land Acquisition Officer, that as many as 9 villages come under submersion this year and that the displaced ryots of these villages will have to be rehabilitated without delay in the five villages to be newly formed in Narasimharajapura Taluk.

On

On an average, a sum of Rs.5,000/- may be the approximate value of acquisition of both authorised and unauthorised structures of a village judged from the present data of Rs.9,081/- available in respect of two villages.

In view of the urgent need for rehabilitation of ryots of 9 villages who will be displaced before the ensuing monsoon, I request early sanction of Government to the proposals submitted with letters No.L1.Spl.C.3/55-56 dated 25-7-55 and 12-9-55 of the erstwhile Revenue Commissioner and Chairman of the Ad-hoc Committee may kindly be obtained and communicated early.

Yours faithfully,

(D.M.R. Manay)
For DIVISIONAL COMMISSIONER,
Mysore Division.

39

the new places well in advance after leaving their old places. After the structures come under submersion it will not be possible to inspect the buildings and make necessary enquiries as per Land Acquisition Act.

As the expropriated ryots are urging for payment of compensation I request that necessary arrangement may kindly be made for payment of compensation in respect of the buildings in the submergeable villages within a month.

In the submersion area there are a few unauthorised structures in every village. The compensation has to be paid in respect of these structures also as they are in existence, since a long time. The unauthorised structures are not substantial ones but they are only thatched huts; the cost of which would be very little. As per opinion of the Public Works Department 50% of the value will be deducted towards depreciation on these structures.

(Copies)

(D.M.R. Manay)
For Divisional Commissioner,
Mysore Division.

RLN.20/2/57.

20/2

DRAFT COUNCIL NOTE.

Sub: Payment of compensation for un-authorised structures in the Bhadra Reservoir Submersion area.

====

It is reported that in the Bhadra Reservoir area there are a number of un-authorised structures constructed not only on occupied agricultural land but also on Government waste and assessed waste lands. These structures are understood to have been put up long ago and to have been in the possession of private persons. The village Panchayats are ~~also~~ said to be recovering taxes on such structures.

In view of the difficulties experienced by the ryots who have to be shifted from the submersion area, the Ad-hoc Committee for the Acquisition of Lands and Rehabilitation of Ryots under the Bhadra Project recommended that the unauthorised structures in the submersion area be treated as farm houses and reasonable compensation paid to the owners. The Revenue Commissioner requested, in July 1955, for sanction to the recommendation. With reference to the proposal, the Law Secretary opined that payment of compensation in the case of un-authorised structures ~~is~~ was not a legal necessity but could be justified on considerations of equity. It was therefore ordered that compensation need not be paid where Government was not legally bound to pay it.

However, the Revenue Commissioner, at the instance of the Ad-hoc Committee, ~~again~~ requested ~~for~~ reconsideration of the orders already

passed and sanction to the payment of compensation for the un-authorised structure in the Bhadra Reservoir Submersion area. It was also reported that the number of un-authorised structures is 35 in Byrapura, valued at Rs.6221-12-4, and 17 in Hosahalli village of Narasimharajapur Taluk, valued at Rs.2858-12-0, involving a total cost of Rs.9080-8-4.

The amount involved, as reported by the Revenue Commissioner, being small when compared with the expenditure to be incurred on acquisition and rehabilitation in connection with the Bhadra Project, it was proposed to sanction payment of compensation in the case of un-authorised structures also, subject to a ceiling of Rs.10,000/- for the whole project and without acknowledging legal liability in that behalf. The Revenue Secretary concurred in the proposal with the observation that it should not serve as a precedent as the payments are based on considerations which are equitable rather than legal, a sum of Rs.10,000/- may be placed at the disposal of the Revenue Commissioner for making ex-gratia payments and that it is not desirable that these payments should be made by the Land Acquisition Officer as compensation.

The Financial Secretary has noted as follows:-

> "There is no question of payment of compensation at all. The payment of ex-gratia grants is quite a different matter. Unless it is in accordance with any accepted public policy payment of any amount for un-authorised constructions would only be to put a premium upon infringement of law by rewarding it. If the proposal is to be approved nevertheless, the matter may be decided in Council".

The Minister for Revenue and Public Works agreed with the Financial Secretary.

CONTD.....3

It is now reported by the Divisional Commissioner, Mysore Division that the exact valuation of all the un-authorised structures in the entire Bhadra Reservoir Submersion area (25 villages) ~~is not possible to be furnished immediately~~ for the reasons that (i) the displaced ryots are asked to quit from their fertile lands which will come under waters of Bhadra Reservoir, (ii) nearly 80 feet of the Dam is already constructed and statistical information about valuation of the un-authorised strucutre in respect of 25 villages of B.R. Sub-mersion area cannot be secured at this stage ~~alone~~, and (iii) the P.W.D. authorities have to value the strucutres and the Revenue authorities have to institute enquiry and Special Land Acquisition Officer has to pass award fixing reasonable value in respect of the structures in consultation with the P.W.D.Authorities, on the merits of each individual case. It is further stated that as many as 9 villages come under submersion this year and the displaced ryots of these villages will have to be rehabilitated without delay in the five villages to be newly formed in Narasimharajapur Taluk. The full particulars as regards the money that might be required for acquisition of all the un-authorised structures in the Bhadra Submersion Area are not known. The Divisional Commissioner has stated that on an average a sum of Rs.5,000/- ~~may be~~ represents the approximate value of both authorised and unauthorised structures of a village. This ~~which~~ is based on the ~~present~~ data for 2 villages only. According to this data, the cost of 9 villages to be shifted this year will be Rs.45,000/-. However, the principle involved is whether any compensation or even exgratia grant is to be given for unauthorised structures.

not possible to furnish immediately

In.....

43

In view of the urgent need for rehabilitation of ryots of 19 villages who will be displaced before the ensuing Monsoon, the Divisional - Commissioner has requested sanction to the payment of compensation to the structures built ~~with~~ ~~or~~ without permission in the Bhadra Reservoir Submersion Area as a special case and in view of the similar previlege extended to the displaced ryots of the Hirebhaskar submersion area. X

The matter is put up for consideration, at a meeting of the Council.

Secy.to Govt.,
P.W.D.

4/3/53

X The Rev. & P.W.D. Officers were asked to confirm that similar privilege was extended to the displaced ryots of the Hirebhaskar submersion area. The Supdg. E.A.O., Shimoga, has reported that from the available records it is found that in the awards passed in three cases of acquisition under the Hirebhaskar Dam Compensation was awarded in respect of buildings situated on Govt. lands. Of the three cases cited two are found to relate to Structures & one to Malkhi trees on Govt. lands.

PWD 19 BRPS 57 44

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

NO. PWD 19 BRPS 57 dt 28-3-57

Sub:- BRp - Acquisition of Structures in the Reservoir Submersion area - payment of Compensation for unauthorised Structures.

To

The Divisional Comm^r Mysore Dn Mysore

Sir,

Ref:- your letter No A 10 : 6-S.08/56-57 dt 20th Feb 57.

With reference to the Communication Cited, I am directed to state that it is mentioned in your letter under reference, that an average a Sum of Rs 5000/- may be the approximate value of acquisition of both authorised and unauthorised Structures of a village, from the available data of Rs 9081/-

WD 0258—GPB—PZS-1,20,000—1-7-55.

45

in respect of two villages Byrapura and Hosahalli. The above statement does not seem to be correct in as much as the available data of Rs 9081/- in respect of the two villages Byrapura and Hosahalli pertains to un-authorised structures only. I am to request you kindly to clarify the point referred to above immediately for taking further action in the matter.

4/F

for Secy to Govt PWD

22/3/57 23/3/57

Copy forwarded to the Spl. Land Acquisition Officer, Tunga & Bhadra Project, Shimoga

for 25/3/57

Issued
NP
25/3/57

GOVERNMENT OF MYSORE.

No. PWD 19 BRP 57

Mysore Government Secretariat,
Bangalore, dated, 25 March 1957.

From :

The Secretary to Government,
Public Works Department, Bangalore.

To

The Divisional Commissioner,
Mysore Division, MYSORE.

Sir,

Sub:- Bhadra Reservoir Project - Acquisition of structures in the Reservoir Submersion area - Payment of Compensation for unauthorised Structures.

Ref:- Your letter No. A 10 6508/56-57 dated 20th February 1957.

With reference to the communication cited, I am directed to state, that it is mentioned in your letter under reference, that on an average a sum of Rs. 5,000/- may be the approximate value of acquisition of both authorised and un-authorised structures of a village, from the available data of Rs. 9,081/- in respect of two villages Byrapura and Hosahalli. The above statement does not seem to be correct in as much as the available data of Rs. 9081/- in respect of the two villages Byrapura and Hosahalli pertains to un-authorised structures only. I am to request you kindly to clarify the point referred to above immediately for taking further action in the matter.

Yours faithfully,

Sd/-

(K.B. Murarappa),
for Secretary to Government,
Public Works Department.

No. PWD 19 BRP 57
dt. 25th March 1957

Copy of the above forwarded to the Special Land Acquisition Officer, Tunga & Bhadra Project, Shimoga.

for Secretary to Government,
Public Works Department.

Issued
25/3/57

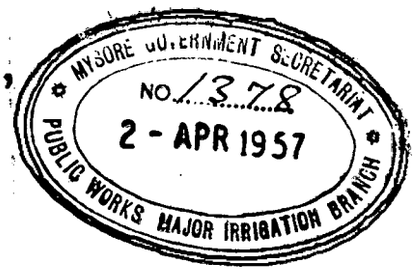
19 BRP 57

No.A10.6508/56-57.

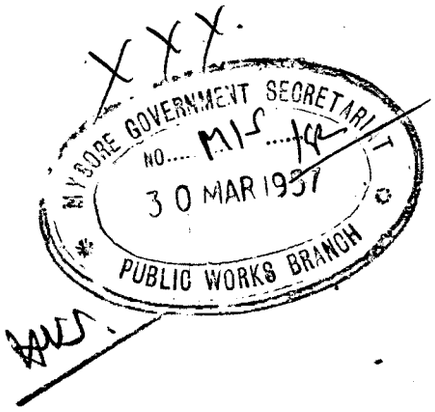
OFFICE OF THE DIVISIONAL COMMISSIONER,
Mysore Division, Mysore, the 29th March 1957.

To

The Secretary to Government,
Public Works Department,
BANGALORE.



Sir,



XXX.

WLS.

Sub:- Bhadra Reservoir Project - acquisition of structures in the reservoir submersion area - payment of compensation for unauthorised structures .

Ref:- Your letter No,PWD 19 BRP 57 dated the 25th March 1957.

-o-

I write to state that the sum of Rs.5,000/- suggested in this Office previous letter dated 20-2-1957 represents the approximate value of acquisition of all structures - both authorized and unauthorized - in a village on an average because it was reported by the Deputy Commissioner, Chickmagalur, on the 10th February 1956 in connection with a reply to the starred question No.111 M.L.C. Budget Session 1956 that in many villages according to Revenue Accounts, there are no authorized structures at all, and that most of the structures are old thatched ~~areas~~ ones.

35 cF

Yours faithfully,
B. Rama Rao
(B. N. RAMA RAO)
for DIVISIONAL COMMISSIONER.

Rao 29/3
(Draft approved by Div. Commr.)

p.

PWD 19 BRPS 57

Appendix F. G.—1]

SUBJECT Acquisition of structures in the B.R. Sanctuary area and the payment of compensation to the (unauthorised) structures

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the 195

Date of issue.....

Signed by.....

List of enclosures .....

Copied by.....

Examined by.....

Section

File No.

Serial No.

No. PWD 19 BRPS 57 Dt 17.6.57
To
— encl

The Chief Engineer (CL)
Bangalore.

I am directed to enclose herewith a copy of letter No. L1-h-A.C 2/3/56-57 dt 14.2.57 received from the Spl Land Acqn Officer Tunga & Bhadra projects Shimoga addressed to the Divisional Commr Mysore regarding the above subject and to state that it is mentioned that a similar privilege of payment of Compensation to

Pl see 3 copies of letter dt 14.2.57 of the Spl L.A.O at page 37-38.

The Structures built with or without permission, was extended to the displaced ryots of the Hivebhaikar Sub-mersion area. ~~The case regarding the area already available here.~~ I am to request you kindly to intimate whether such concession as above was ~~extended~~ granted or not. If so details may be furnished, along with the Copies of the relevant G.O's. The matter may be treated as Top-most priority and particulars furnished by return of post.

Yours faithfully,

for Secy to Govt

PWD.

Issued
17.4.57

No. PWD 19 BRPS-7 Dt. 17.4.57.

Copy of the above with copy of letter dated 16.2.57 of the Spl A.O is forwarded to:

(1) The CE & S (S) Bagalkot
(2) The C E E, Bagalkot

for information and immediate action.

(3) Copy to the Spl A.O Tuga & Bhadra project for information and necessary action.

12/4/57

for Secy to Govt

PWD.

Issued
17.4.57

MYSORE GOVERNMENT SECRETARIAT,

D. C. No.

Dated, Bangalore, 10.5.57

Sub:- As in ref.

DEAR SIR,

I am desired to invite your attention to this Office letter No. PWD 19 BRPS 57, dated 17-4-957 and the ~~subsequent~~ reminders, on the above subject and to request that reply thereto may kindly be ~~expedited, as the matter is long pending~~ furnished immediately

Yours sincerely,

To

The Ex. E. (Q)
The Ex. E. M. I (S)
The Ex. E (Mn)
The Secy. Tungabhadra Projects

By name.

for signature by Secretary

WD 0245—GPB—8,000—30-9-55

3/5/57.

Issued 10/5/57

3429

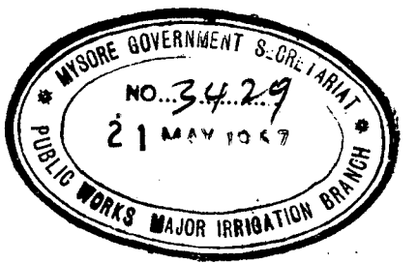
Telegrams: "GOMED"

Telephone Nos. { Office: 2416
Residence: 2790

Sri [redacted]. D'Sa, B.E., B.Sc., (Hons.) A.M.I.E.E.
Chief Engineer (Electricity)

OFFICE OF THE
CHIEF ENGINEER (ELECTRICITY)
GOVT. OF MYSORE

D. O. No. B-244/ 611



Bangalore-1, 20 May 1957.
(S. INDIA)

Dear Sri Murarappa,

Sub:- Bhadra Reservoir Project - Acquisition of Structures in the Reservoir - Submersion area - Payment of Compensation for unauthorised structures.

With reference to your D.O.No.PWD.19-BRP-5 10th of May 1957 on the above subject, I write to state that the Land Acquisition Officer, Sagar, who was intimately connected with the payment of compensation for all buildings, sheds, structures and lands in the submersion area of Hirebhaskar has been requested to kindly furnish the information and his report is awaited. The officer is again being reminded to-day in the matter.

Yours sincerely,

Sri K.B.Murarappa, B.E.,
Asst.Secretary to Government,
Public Works Department,
Vidhana Soudha,
BANGALORE.

MW) 21.5.57

Sri. G.Krishnaswamy, B.E.,
Deputy Chief Engineer,
Major Irrigation—South.

CENTRAL OFFICES,
PUBLIC WORKS DEPARTMENT,

Bangalore, dated.....21-5-.....1957.

D. O. No. S/41

Dear Shri Murarappa,

Re:- Bhadra Reservoir Project -- Acquisition of structures in the Reservoir Submersion area payment of compensation for unauthorised structures.

With reference to your letter No.PW.D.19 BRP 57 dated 10th May 1957, I am desired to state that the Chief Engineer (General) has been requested to furnish a copy of the report submitted to Government along with copies of the relevant Government Orders. He has again been reminded in the matter.

Further report will be forwarded to Government on receipt of reply from the Chief Engineer (General),

Yours sincerely,

21/5.

Shri K.B.Murarappa, B.E.,
Assistant Secretary
to Government,
Public Works Department,
BANGALORE.

bvb

IMMEDIATE

GOVERNMENT OF MYSORE.

Mysore Government Secretariat,
Vidhanasoudha,
Bangalore, dated 30th May 1957.

No.PWD 19 BRP 57

From

The Secretary to Government,
Public Works Department,
Bangalore.

To

The Land Acquisition Officer,

Sagar.

Sir,

Sub: Bhadra Reservoir Project - Acquisition of Structures in the Reservoir Submersion area payment of compensation for unauthorised structures.

= = = =

I am directed to enclose a copy of letter No.LAC. 2/3/56-57 dated 14-2-57 from the Special Land Acquisition Officer, Tunga and Bhadra Projects, Shimoga, addressed to the Divisional Commissioner, Mysore on the above subject and to request you kindly to intimate whether the statement made therein that a similar privilege of payment of compensation to the structures built with or without permission was extended to the displaced ryots of Hirebhaskar submersion area, is correct. Copies of relevant orders in that matter, may also be forwarded if available. A reply may kindly be furnished within three days at the latest.

Yours faithfully,

(K.B.Murarappa)
Asst.Secretary to Government,
Public Works Department.

Issued
30.5.57

Immediate

Appendix F. G.—1]

SUBJECT Bhadra Reservoir Project - Acquisition of Structures in the Reservoir Submersion area payment of compensation for unauthorised structures.

Diary No. of letter replied to .....

Section

File No.

Serial No.

Mysore Government Secretariat.

( )

the *195*

Date of issue.....

Signed by.....

List of enclosures .....

Copied by.....

Examined by .....

No. PWD 19 BRP 57 dt 30.5.57)

To

The Land Acquisition Officer, Sagar.

Sir,

I am directed to enclose a copy of ~~your~~ letter No. LAC 2/3/56-57 dt 14.2.57 from the Special Land Acquisition Officer, Tunga and Bhadra Projects Shimoga ~~and to~~ addressed to the Divisional Commissioner, Mysore on the above subject and to request you kindly intimate whether to confirm the statement—

WD 03736-GPB—P.Z.S.— 50,000—1-3-56

similar privilege ~~was extended to~~

~~the displaced ryots of the Hirebhaskar~~

~~Submersion area~~ of payment of compensation

to the structures built with or without

permission was ~~extended~~ to the displaced

ryots of Hirebhaskar Submersion area, is correct.

~~and furnish the details along with~~

Copies of relevant ~~orders~~ orders / in that matter may also be forwarded immediately, if available. A report may kindly be given within three days at the latest.

Yours faithfully.

for Secy to Govt

Issued

55

GOVERNMENT SECRETARIAT
NO. 36409
28 MAY 1957
PUBLIC WORKS MAJOR IRRIGATION BRANCH

From

The Chief Engineer (General),
Mysore, Bangalore.

No. 1445 GI. Dated 25-5-57.

MYSORE GOVERNMENT SECRETARIAT
No. PWI 19 BRP 57
27 MAY 1957
PUBLIC WORKS BRANCH

To

The Secretary to Government,
Public Works Department, BANGALORE.

Sir,

Sub: Acquisition of structures in the Bhadra Reservoir Submersion area and the payment of compensation to the unauthorised - structures.

50/CS.

With reference to your D.O. letter No.PWI. 19 BRP 57 dated 10-5-57, on the above subject, I write to state that the subject is under the jurisdiction of the Chief Engineer, Major Irrigation (South), Bangalore. That officer may be addressed in the matter.

RVS

Yours faithfully,

(C. J. Venkatesa Das)
for Chief Engineer, General.

MG. 2/-23.5.

3733

56

C. F. No. 46]

GOVERNMENT OF MYSORE

No 422-3/5

Encls.

OFFICE OF Office of the Chief Engineer, Major Irrigation—South, BANGALORE.

Date 1st May/June 1957.

MYSORE GOVERNMENT SECRETARIAT NO. 3733 1 - JUN 1957 PUBLIC WORKS MAJOR IRRIGATION BRANCH

The Secretary to Government,

Public Works Department, Bangalore.

Sir,

MYSORE GOVERNMENT SECRETARIAT NO. MIJ 1 - JUN 1957 PUBLIC WORKS BRANCH

Bhadra Reservoir Project - Acquisition of structures in the Reservoir submersion area- Payment of compensation for unauthorised structures.

With reference to your reminder No.PWD.19/~~12~~ ERP.57 dated 6th May 1957, I write to state that all the records pertaining to Hirebhaskar were handed over to the Chief Engineer, Electricity. He may be kindly addressed to furnish the particulars.

Yours faithfully,

31/5.

(G.Krishnaswamy),
Chief Engineer, I/C,
Major Irrigation-South.

MBT.31-5.

57

Appendix F. G.—1]

SUBJECT Bhadra Reservoir Project - Submersion area - Compensation to unauthorised Structures.

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the *195*

Date of issue.....

Signed by.....

List of enclosures .....

Copied by.....

Issued 3/57

Examined by .....

Section

File No.

Serial No.

No. PWD 19 BRP 57

To

The Land Acquisition Officer,

Sagar.

Sir,

Ref: This office letter ~~dtd~~ of even No. dt- 30.8.57

I am directed to invite your attention to the communication cited and to request you kindly to furnish your reply there to immediately.

Yours faithfully,

for Secy to Govt, PWD.

WD 03736-GPB—P.Z.S.— 50,000—1-3-56

58

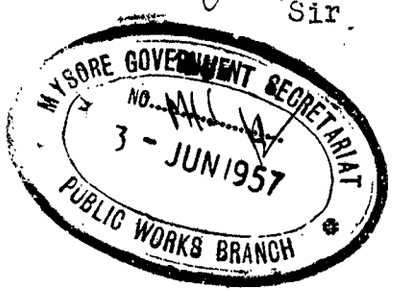
Office of the Special Land Acquisition Officer.
Tunga And Bhadra Projects.

SHIMOGA. Dated.....
31st May 1957.

NO. L.1. L.A.C. 2-3/56-57
Encl: Three

The Assistant Secretary to Government of Mysore,
Public Works Department,
Bangalore.

Sir,



Subject:- Acquisition of structures in the Bhadra Reservoir submersion area and the payment of compensation to the unauthorised structures.

REF:- Your letter No.PWD.19/BR/57 dated 15-4-1957.

.....

I wish to state that neither the papers nor the relevant Government Orders are available in this office. But I find from the award orders passed in the marginally* noted three cases (copies enclosed) of acquisition under the Hirebhasgar dam that compensation was awarded in respect of buildings situated on Government lands. It may be seen that in these cases compensation has been awarded for the structures only and such a privilege may as well be made applicable in the present acquisition cases also.

* C2.LAC.515/42-43
C2.LAC.519/42-43
C2.LAC.531/42-43
on the file of the Special Land Acquisition Officer, Hirebhasgar Dam Works

The fact that compensation was awarded in respect of buildings on Government lands makes it clear that the privilege referred to in my letter dated 14-2-57 was extended to the displaced ryots under the Hirebhasgar dam.

Yours faithfully,
H.L. Lingaraj Urs
(H.L. Lingaraj Urs)
Special Land Acqn. Officer,
Tunga and Bhadra Projects,
Shimoga.
1/6/57

Ngb/

In the Office of the Special Land Acquisition Officer,
Hirebhasgar Dam Works, Shimoga District.

1. Land Acquisition Case No.C2.LAC.531/42-43.

2. Name of the Project - Hirebhasgar Dam Works
(Jog Power Scheme)

3. Authority for the Acquisition--Declaration No.PW.8706-10 dated 28-5-43 published at pages 599-600 Part I of the Mysore Gazette of the 17-6-1943.

4. Name of Taluk. Sagar, Village Brahmanamaduhu

5. The situation, extent and other description of the land with particulars of trees, buildings and standing crops thereon.

Name of Khatedar	Name of Anubhavadar	S.No.	Class	Total extent A. G.	Kharab A. G.	Remaining extent A. G.	Assessment Rs.a.p.	Area required Extent A. G.	Area required Assessment Rs.a.p.
Mr. Sannappa bin Thimmappa (deceased)									
	Heir Smt.Mookamma w/o, Manjappa	Kh.No. 4	Living house (thatched roof) 21'x19'		-	21'x19'		21'x19'	0-8-0
			Cattle shed 25'x13'		-	25'x13'		25'x13'	
			Well with stone revetment 18' (depth) x 2½ (diam.)		-			18' (depth) x 2½ (diam.)	

6. Names of persons interested and the nature of their respective interests.

Mr. Sannappa bin Thimmappa
(Khatedar - deceased)

Smt. Mookamma Kom Manjappa
Heir/deceased i.e. wife ~~of~~ & brother of deceased)
of

7. Schedule of notices served, statements filed by interested parties, and plan and documents etc., referred to

Notice with (shara' of village Officers enclosed.
Sketch is enclosed.
Statement recorded attached.
Petition and heir certificate of Sri Mookamma attached.

8. Amount of compensation claimed and the ~~appointment~~ apportionment applied for

Rs.300/- for the dwelling house, Rs.100/- for the cattle shed, Rs.150/- for the well, Rs.25/- for a water spring and Rs.10/- for the malki trees claimed.

---

9. Award -

(1) Kh.No.4 of Brahmanamaduhu is being acquired in full. It consists of the properties detailed in para 5 supra with measurements as detailed therein. All the properties are on Government land as also the malki trees for which claims have been advanced. The water spring for which a claim has been advanced belongs to the neighbpuring S.No. which has already been acquired. So, the claim for its value is rejected here.

(ii) The claim advanced by the claimant under the khatedar is very excessive. At the time of preliminary enquiry, the properties have been valued at Rs.99-12-0 for the dwelling house, Rs.40-10-0 for the cattle shed and Rs.75/- for the well. I have inspected the properties and find the preliminary valuations are reasonable. So, I award for the Kh.No., inclusive of all claims, Rs.220/- value, plus S.A. at 15% equal to Rs.33/- making a total of Rs.253/- (Rs.Two hundreden fifty three only).

(iii) The Khatedar, Sannappa is dead. He has no wife or children. Mookamma, widow of the deceased brother of the deceased khatedar, has put in claim for the compensation amount. She has been granted a succession certificate by the Munsiff, Sagar in Mis.Case No.60 of 42-43 to collect the compensation awarded for the lands of the deceased khatedar, which were acquired for the jog project. So, the amount awarded in para (ii) above will be paid to Mookamma Kom Manjappa, who is the sole claimant.

Sd/ G. Narasimhaiah 2-2-44.
Land Acquisition Officer.

'True copy',

for Deputy Commissioner,
Shimoga District.

In the Office of the Special Land Acquisition Officer,
Hirebhasgar Dam Works, Shimoga District.

1. Land Acquisition Case No.C2.519/42-43.

2. Name of the Project. Hirebhasgar Reservoir (JPS)

3. Authority for the Acquisition -- Declaration No.PW.8706-10 dated 28-5-43 published at pages 599-600 Part III of the Mysore Gazette of the 17-6-43.

4. Name of Taluk. Sagar Village Nadamaduhu

5. The situation, extent and other description of the land with particulars of trees, buildings and standing crops thereon.

Name of Khatedar	Name of Anubhavadar	Khaneshumari No.	Class	Total extent	Kharab	Remaining extent	Assessment	Area required Extent	Area required Assessment
									Rs.a.p.
Chowda bin Koora	self	9	House thached roof -- (a) Cattle shed -- (b) Cattle shed --			37' x 29') 22'x41') 34 x16')			1-0-0

6. Names of persons interested and the nature of their respective interests.

Chowda bin Koora -- Khatedar

Schedule of notices served, statements filed by interested parties, and plan and documents etc., referred to

Notice served is attached. Claim statement recorded is enclosed.

Amount of compensation claimed and the apportionment applied for.

Rs.800/- for the living shed, Rs.400/- for the cattle shed, Rs.100/- for one ಬಾವಿ, Rs.100/- for the ಪಿಂಡಿ ಮನೆ , Rs.200/- for two cocoanut trees, Rs.25/- for 1 ಕಣಲಿಮನೆ , and Rs.15/- for 1 ~~ಬಾವಿ~~ ವಿಂಗಡಿಸಿದ claimed.

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9. Award -

(i) Khaneshumari No.9 of Nadamaduhu is being acquired in full. It consists of one thatched dwelling house of 12 ankanams one cattle shdd of 8 ankanams and one ಪಿಂಡಿ ಮನೆ of 4 ankanams.

(ii) The mahazar valuations of the sheds are 6 annas per sq. ft. for the living shed and 2 annas per sq. ft for the remaining sheds. The Executive Engineer, has opined that a rate of 4 annas per sq. ft. for the living shed is reasonable and that the rate for the two other sheds may be taken at 2 annas per sq. ft.

With this modification, the preliminary estimates have been framed at Rs.268-4-0 for the dwelling shed, Rs.112/12 for the cattle shed and Rs.68/- for the 'ಕಣಜ ಮನೆ'. I have inspected these properties and consider these preliminary estimates as fair and reasonable. The claims are very excessive. The malki trees are all on Government land. Their values to the claimant are only usfructary. So, I award for the two cocoanut trees, Rs.2/-, for the lemon plant Re.0-8-0 and for the jack tree Rs.0-8-0. So, I award for the Khaneshumari Number as follows:-

	Rs. a.p.
For the living shed	268-4-0
For the cattle shed	112-12-0
For the ಕಣಜ ಮನೆ	68-0-0
For the malki trees	3-0-0
Total value	Rs.452-0-0
S.A. at 15% of value	Rs. 67-12-10
Grand Total:-	519-12-10

(iii)- The amount awarded above will be paid to Khatedar - claimant, Chowda bin Koora.

Sd. G. Narasimhiah, 31-10-43
Land Acqn. Officer.

'True copy',

for Deputy Commissioner,
Shimoga District.

In the Office of the Special Land Acquisition Officer,
Hirebhasgar Dam Works,
Shimoga District.

1. Land Acquisition Case No.C2-515/42-43.

2. Name of the Project. Jog Power Scheme.

3. Authority for the Acquisition--Declaration No.PW.8706-10 dated 28-5-43 published at pages 559-600, Part I of the Mysore Gazette of the 17-6-43.

4. Name of Taluk Sagar, Village Nadamaduhu

5. The situation, extent and other description of the land with particulars of trees, buildings and standing crops thereon.

Name of Khatedar	Name of Anubhavadar	Khate No.	Class	Total extent A.G.	Kharab A. G.	Remaining extent A. G.	Assessment Rs.a.p.	Area required Extent A. G.	Assessment Rs.a.p.
Dyavamma Kom Holeyappa		4	Living house One well	51'x17') 33'x3') diam.		0-8-0		51'x17') 33'x3') diam.	0-8-0

6. Names of persons interested and the nature of their respective interests.

Dyavamma Kom Holeyappa
Khatedar - Anubhavadar

7. Schedule of notices served, statements filed by interested parties, and plan and documents, etc., referred to

Notice served is attached - Claim statement recorded is enclosed.

8. Amount of compensation claimed and the ~~appointment~~ apportionment applied for

Rs.600/- for the house, Rs.500/- for the well, Rs.50/- for two cocoanut trees and Rs.10/- for two jack fruit trees claimed.

---

9. Award --

(i) Kh.No.4 of Nadamaduhu is being acquired in full. It consists one house, 867 sq. ft. plinth area and one well 33 feet deep and 3 ft. in diameter.

(ii) (a) The house is an ordinary house with thatched roof. It has been valued at Rs.216-12-0 at the time of the preliminary enquiry. This valuation has been agreed to by the Executive Engineer as fair. The claim of the khatedar is very excessive. It is indeed ~~the~~ true that there has been a lapse of nearly three

(p.t.o.

three years between the acquisition of the lands and the house. But the house is being used by one of the relatives of the Khatedar till to-day. I have inspected the house. I consider the preliminary valuation as fair and reasonable.

(b) the claim for the well is also very excessive. The well is rivetted with laterite stones. It has no parapet and pulley. I consider Rs.150/- which is the preliminary valuation for the well, as its fair and reasonable valuation.

(c) Both the properties are on Government land. The malki trees for which claims have been advanced are not existing to-day. They have not been mentioned in the preliminary record. So, I reject the claims on that account.

(d) I award for the Khaneshumari Number, Rs.366-12-0 value, plus S.A. at 15% equal to Rs.55-0-3 making a total of Rs.421-12-3 (Rs.Four hundredeand-twenty one, annas twelve and pies three only).

(iii) The sister of the husband of the Khatedar has put in a claim on behalf of herself and her minor children that the compensation for the properties must be paid to her. She is a married daughter and as such she can have no claims over the property of the father, when the widow of the deceased son is living. Her claim is therefore rejected. The amount awarded above will be paid to the Khatedar Anubhavadar, Dyavamma Kom Holeyappa.

Sd/ G. Narasimhaiah
28-12-43.
Land Acquisition Officer.

True-'copy',

for Deputy Commissioner
Shimoga District.

P.W.D. 65

DRAFT COUNCIL NOTE.

Sub: Payment of compensation for un-authorised structures in the Bhadra Reservoir Submersion area.

It is reported that in the Bhadra Reservoir area there are a number of un-authorised structures constructed not only on occupied agricultural land but also on Government waste and assessed waste lands. These structures are understood to have been put up long ago and to have been in the possession of private persons. The village Panchayats are said to be recovering taxes on such structures.

In view of the difficulties experienced by the ryots who have to be shifted from the submersion area, the Ad-hoc Committee for the Acquisition of Lands and Rehabilitation of Ryots under the Bhadra Project recommended that the unauthorised structures in the submersion area be treated as farm houses and reasonable compensation paid to the owners. The Revenue Commissioner requested, ~~in July 1955, for~~ sanction to the recommendation. ~~With reference to the proposal,~~ the Law Secretary opined that payment of compensation in the case of un-authorised structures was not a legal necessity but could be justified on considerations of equity. It was therefore ordered that compensation need not be paid where Government was not legally bound to pay it.

However, the Revenue Commissioner, at the instance of the Ad-hoc Committee, requested reconsideration of the orders already passed and asked for sanction to the payment of compensation

for the un-authorised structures ~~in the Bhadra Reservoir Submersion area.~~ It was also reported that the number of un-authorised structures is 35 in Byrapura, valued at Rs.6,221-12-4, and 17 in Hosahalli village of Narasimharajapura Taluk. valued at Rs.2,858-12-0, involving a total cost of Rs.9,080-8-4.

The amount involved, as reported by the Revenue Commissioner, being small when compared with the expenditure to be incurred on acquisition and rehabilitation in connection with the Bhadra Project, it was proposed to sanction payment of compensation in the case of un-authorised structures also, subject to a ceiling of Rs.10,000/- for the whole project and without acknowledging legal liability in that behalf. The Revenue Secretary concurred in the proposal with the observation that it should not serve as a precedent. He suggested that as the payments are based on considerations of equity, a sum of Rs.10,000/- may be placed at the disposal of the Revenue Commissioner for making ex-gratia payments and that it is not desirable that these payments should be made by the Land Acquisition Officer as compensation.

The Financial Secretary has noted as follows:-

" There is no question of payment of compensation at all. The payment of ex-gratia grants is quite a different matter. Unless it is in accordance with any accepted public policy payment of any amount for un-authorised constructions would only be to put a premium upon infringement of law by rewarding it. If the proposal is to be approved nevertheless, the matter may be decided in Council".

The Minister for ~~Revenue and~~ Public Works agreed with the Financial Secretary.

It is now reported by the Divisional Commissioner, Mysore Division, that it is not possible to furnish immediately the exact valuation

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of all the un-authorised structures in the entire Bhadra Reservoir Submersion area (25 villages) for the reasons that ~~(i)~~ the displaced ryots are asked to quit from their fertile lands which will come under waters of Bhadra Reservoir, ~~(ii) nearly~~ 80 feet of the Dam is already constructed and statistical information about valuation of the un-authorised structure in respect of 25 villages of B.R. Sub-mersion area cannot be secured at this stage and (iii) the P.W.D. authorities have to value the structures and the Revenue authorities have to institute enquiry and Special Land Acquisition Officer has to pass award fixing reasonable value in respect of the structures in consultation with the P.W.D. Authorities, on the merits of each ~~individual case.~~ It is further stated that as many as 9 villages come under submersion this year and the displaced ryots of these villages will have to be rehabilitated without delay in the five villages to be newly formed in Narasimha-rajapur taluk, and ~~The full particulars as~~ regards the money that might be required for acquisition of all the un-authorised structures in the Bhadra Submersion Area ~~are not known. The Divisional Commissioner~~ has stated that on an average a sum of Rs.5,000/- represents the approximate value of both authorised and unauthorised structures of a village. This is based on the data for 2 villages only. According to these data, the cost of 9 villages

~~to be shifted~~ this year, will be about Rs.45,000/-. However, the principle involved is whether any compensation or even exgratia grant is to be given for unauthorised structures.

In view of the urgent need for rehabilitation of ryots of 9 villages who will be displaced ~~before the ensuing Monsoon~~, the Divisional Commissioner has requested sanction to the payment of compensation to the structures built without permission in the Bhadra Reservoir Submersion Area as a special case and in view of the similar previlege extended to the displaced ryots of the Hirebhaskar submersion area. The Revenue and P.W.D. offices were ~~asked~~ requested to confirm ~~that~~ whether similar previleges was were extended to the displaced ryots of the Hirebhasgar submersion area. The Special Land Acquisition Officer, Shimoga, has reported that from the available records it is found that in the awards passed in three cases of acquisition under the Hirebhasgar Dam, compensation was awarded in respect of buildings situated on Government lands. ~~(Of the three cases cited two are found to relate to structures and one to Halki trees on Government lands).~~

~~The matter is put up~~ for consideration, at a meeting of the Council.

the question of not making ex-gratia payment in case of unauthorised structures in the Reservoir Submersion area is according

Secretary to Government,
Public Works Department.

6/6/57

6/6/57

Council Case No. C. 119/57-58.

Date....1.7.57.....

FOR CONSIDERATION AT A

MEETING OF THE COUNCIL.

Council Note circulated for information.

✗ 4/c JRA

Dy. Secy.,
GAD.

Chief Minister;
All Ministers.

1.7.57.

SECRET. COUNCIL NOTE. PWD 19 BRP 57.

Subject:- C.119/57-58.
Payment of compensation for unauthorised structures in the Bhadra Reservoir Submersion area.

It is reported that in the Bhadra Reservoir submersion area there are a number of unauthorised structures constructed not only on occupied agricultural land but also on Government waste and assessed waste lands. These structures are understood to have been put up long ago and to have been in the possession of private persons. The Village Panchayats are said to be recovering taxes on such structures.

In view of the difficulties experienced by the ryots who have to be shifted from the submersion area, the Ad-hoc Committee for the Acquisition of Lands and Rehabilitation of Ryots under the Bhadra Project presided over by the former Revenue Commissioner, recommended that the unauthorised structures in the submersion area be treated as farm houses and reasonable compensation paid to the owners. The Revenue Commissioner accordingly requested that the recommendation be approved by Government. The matter was examined in consultation with Law and Finance Departments. The Law Secretary opined that payment of compensation in the case of an unauthorised structures was not a legal necessity but could be justified on considerations of equity. It was therefore ordered that compensation need not be paid where Government was not legally bound to it.

However, the Revenue Commissioner, at the instance of the Ad-hoc Committee, requested reconsideration of the orders already passed and asked for sanction to the payment of compensation for the unauthorised structures. He also reported that the number of unauthorised structures is 35 in Byrapura, valued at Rs.6,221-12-4, and 17 in Hosahalli village of Narasimharajapura Taluk, valued at Rs. 2,858-12-0 involving a total cost of only Rs.9,080-8-4.

Contd...(2)

The amount involved, as reported by the Revenue Commissioner, being small when compared with the expenditure to be incurred on acquisition and rehabilitation in connection with the Bhadra Project, it was proposed to sanction payment of compensation in the case of unauthorised structures also, subject to a ceiling of Rs.10,000/- for the whole project and without acknowledging legal liability in that behalf. The Revenue Secretary concurred in the proposal with the observation that it should not serve as a precedent. He suggested that as the payments are based on considerations of equity, a sum of Rs.10,000/- may be placed at the disposa of the Revenue Commissioner for making ex-gratia payments and that it is not desirable that these payments should be made by the Land Acquisition Officer as compensation.

The Financial Secretary has noted as follows:-

> "There is no question of payment of compensation at all. The payment of ex-gratia grants is quite a different matter. Unless it is in accordance with any accepted public policy payment of any amount ~~of~~ for unauthorised constructions would only be to put a premium upon infringement of law by rewarding it. If the proposal is to be approved nevertheless, the matter may be decided in Council."

The Minister for Public Works agreed with the Financial Secretary.

It is now reported by the Divisional Commissioner, Mysore Division, that it is not possible to furnish immediately the exact valuation of all the unauthorised structures in the entire Bhadra Reservoir Submersion area (25 villages) for the reason that valuation has to be arrived at in each individual case after enquiry and inspection and in consultation with the P.W.D. It is further stated that as many as 9 villages come under submersion this year and the displaced ryots of these villages will have to be rehabilitated without delay in the five villages to be newly formed in Narasimharajapur Taluk, and that on an average a sum of Rs.5,000/- represents the approximate value of both authorised

Contd...(3)

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In view of the urgent need for rehabilitation of ryots of 9 villages who will be displaced, the Divisional Commissioner has requested sanction to the payment of compensation to the structures built without permission in the Bhadra Reservoir Submersion Area as a special case and in view of the similar previlage extended to the displaced ryots of the Hirebhaskar submersion area. The Revenue and Public Works Department Officers were requested to confirm whether similar previleges were extended to the displaced ryots of the Hirebhasgar submersion area. The Special Land Acquisition Officer, Shimoga, has reported that from the available records it is found that in the awards passed in three cases of acquisition under the Hirebhasgar Dam, compensation was awarded in respect of buildings situated on Government lands.

The question of making an ex-gratia payment in the case of the unauthorised structures in the Reservoir Submersion area is accordingly for consideration at a meeting of the Council.

29.6.57

(D.K.Srinivasachar),
Secretary to Government,
Public Works Department.

29/6/57

SECRET. COUNCIL NOTE. PWD 19 BRP 57.

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Contd...(2)

73

The amount involved, as reported by the Revenue Commissioner, being small when compared with the expenditure to be incurred on acquisition and rehabilitation in connection with the Bhadra Project, it was proposed to sanction payment of compensation in the case of unauthorised structures also, subject to a ceiling of Rs.10,000/- for the whole project and without acknowledging legal liability in that behalf. The Revenue Secretary concurred in tho proposal with the observation that it should not serve as a precedent. He suggested that as the payments are based on considerations of equity, a sum of Rs.10,000/- may be placed at the disposal of the Revenue Commissioner for making ex-gratia payments and that it is not desirable that these payments should be made by the Land Acquisition Officer as compensation.

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The Minister for Public Works agreed with the Financial Secretary.

It is now reported by the Divisional Commissioner, Mysore Division, that it is not possible to furnish immediately the exact valuation of all the unauthorised structures in the entire Bhadra Reservoir Submersion area (25 villages) for the reason that valuation has to be arrived at in each individual case after enquiry and inspection and in consultation with the P.W.D. It is further stated that as many as 9 villages come under submersion this year and the displaced ryots of these villages will have to be rehabilitated without delay in the five villages to be newly formed in Narasimharajapur Taluk, and that on an average a sum of Rs.5,000/- represents the approximate value of both authorised

Contd...(3)

and unauthorised structures of a village. This is based on the data for 2 villages only. According to these data, the cost of shifting 9 villages this year will be about Rs.45,000/-. However, the principle involved is whether any compensation or even ex-gratia grant is to be given for unauthorised structures.

In view of the urgent need for rehabilitation of ryots of 9 villages who will be displaced, the Divisional Commissioner has requested sanction to the payment of compensation to the structures built without permission in the Bhadra Reservoir Submersion Area as a special case and in view of the similar previlege extended to the displaced ryots of the Hirebhaskar submersion area. The Revenue and Public Works Department Officers were requested to confirm whether similar previleges were extended to the displaced ryots of the Hirebhasgar submersion area. The Special Land Acquisition Officer, Shimoga, has reported that from the available records it is found that in the awards passed in three cases of acquisition under the Hirebhasgar Dam, compensation was awarded in respect of buildings situated on Government lands.

The question of making an ex-gratia payment in the case of the unauthorised structures in the Reservoir Submersion area is accordingly for consideration at a meeting of the Council.

(D.K.Srinivasachar),
Secretary to Government,
Public Works Department.
29/6/57

(K.D.N.Rao)
29-6-1957)

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

R e a d -

Correspondence ending with letter No. A 10.6508/56/56-57 dated 29th March 1957 from the Divisional Commissioner, Mysore Division, Mysore recommending sanction to payment of reasonable compensation for the unauthorised structures in the Bhadra Reservoir Submersion Area.

Order thereon No.PWD 19 BRP 57

dated July 1957

It is reported that there are a number of unauthorised structures constructed not only on occupied agricultural land but also on Govt. waste and assessed waste lands in the Bhadra Reservoir submersion area. These structures are stated to have been put up long ago and to have been in the possession of private persons. The village Panchayats are said to be recovering taxes on such structures. In view of the difficulties experienced by the ryots who have to be shifted from the submersion area, the Ad-hoc Committee for the acquisition of lands and Rehabilitation of ryots under the Bhadra Reservoir Project recommended that the unauthorised structures in the submersion area be treated as farm houses and reasonable compensation be paid to the owners.

The Divisional Commissioner has requested sanction to the payment of compensation to the structures built without permission in the

10

Bhadra Reservoir Submersion area as a special case and in view of the similar previlege extended to the displaced ryots of the Hirebha... submersion area.

After consideration of all aspects of the case, Government direct that a sum ~~of~~ not exceeding Rs.10,000/- ~~may~~ be placed at the disposal of the Divisional Commissioner for making ex-gratia payments ~~as compensation for~~ to the owners of ~~un~~ authorised structures [~~in the~~ that may be submerged under the water-spread of Bhadra Reservoir ~~Submersion area~~ provided that the structures were in existence prior to 1-1-1954.

The cost is debitable to the Provision under land compensation in the Bhadra Reservoir Project estimate.

By order,

Secretary to Govt.,
P.W.D.

To
1 The Divisional Commissioner, Mysore,
2 The Accountant General, through Finance Dept.,
3 The Chief Engineer, H.I. (S)
4 The Superintending Engineer, T.B.V.Circle, Lakkavalli,
6 The Special Land Acqn. Officer, Tunga & Bhadra Projects, Shimoga, ~~He is directed to go ahed with the passing of awards quickly and to report.~~
5. The E.E.'s of Shimoga, Chikmagalur & Chitaldrug Dts.
~~Copy to G.A.D. Council Section.~~

6/2/57

PROCEEDINGS OF THE GOVERNMENT OF MYSORE. 77

R e a d -

Correspondence ending with letter No. A 10.6508/56/56-57 dated 29th March 1957 from the Divisional Commissioner, Mysore Division, Mysore recommending sanction to payment of reasonable compensation for the unauthorised structures in the Bhadra Reservoir Submersion Area.

Order thereon No.PWD 19 BRP 57

Dated, 11th July 1957.

It is reported that there are a number of unauthorised structures constructed not only on occupied agricultural land but also on Govt. waste and assessed waste lands in the Bhadra Reservoir submersion area. These structures are stated to have been put up long ago and ~~to have been~~ are reported to be in possession ~~of private persons~~ private. The village Panchayats are said to be recovering taxes on such structures. In view of the difficulties experienced by the ryots who have to shift from the submersion area, the Ad-hoc Committee for the acquisition of lands and rehabilitation of ryots under the Bhadra Reservoir Project recommended that the unauthorised structures in the submersion area be treated as farm houses and reasonable compensation be paid to the owners.

The Divisional Commissioner has requested sanction to the payment of compensation to the structures built without permsission in Bhadra Reservoir submersion area as a special

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The fact that a
case and in view of ~~the~~ similar ~~previlege~~ concurrian was
extended to the displaced ryots of the Hirebhaskar
submersion area.

After ~~consideration of all~~ considering all aspects of the case,
Government direct that a sum not exceeding Rs.10,000/-
be placed at the disposal of the Divisional Commissioner
for making ex-gratia payments ~~to the owners of~~ possessors in respect of un-
authorised structures that ~~may~~ will be submerged under the
~~Water spread of the~~ Bhadra Reservoir, provided that
the unauthorised structures were in existence prior to
1-1-1954.

The cost is debitable to the provision
under Land Compensation in the Bhadra Reservoir
Project estimate.

By order,

Secretary to Government,
P.W.D.

Issued
11/7/57

To

1. The Diviaional Commissioner, Mysore,
2. The Accountant General, through Finance Dept.,
3. The Chief Engineer, M.I.(S),
4. The Superintending Engineer, T.B.V.Circle, Lakkavalli,
5. The Deputy Commissioners of Shimoga, Chickmagalur & Chitladrug Dits.
6. The Special Land Acquisition Officer, Tunga & Bhadra Projects,
   Shimoga,

MYSORE GOVERNMENT SECRETARIAT
NO. 5217
3 - AUG 1957
PUBLIC WORKS MAJOR IRRIGATION BRANCH

MYSORE GOVERNMENT SECRETARIAT
NO. [illegible]
1 - AUG 1957
PUBLIC WORKS BRANCH

60

From

Office of the Accountant General
Mysore

To

The Secretary to Government
Public Works Department, Bangalore.

No. W-V/BRC/IX-2/133. Station Bangalore. Date 30-July 57.

Sir,

Sub: Ex-gratia payments in respect of unauthorised structures to be submerged under the Bhadra Reservoir.

-:-

1 77 cf

With reference to G.O.No.PWD.19-BRP-57 dated 11-7-57, I am to state that in-as-much as the structures are stated to be unauthorised, payment of compensation in respect of them appears to be unusual. I am also to request you kindly clarify the following points.

1. How it is proposed to verify that the structures were in existence prior to 1-1-54 whether with reference to the records of the Village Panchayats.

2. The source from which the Divisional Commissioner will draw funds for making ex-gratia payments, whether from the Treasury or the P.W.D. authorities and how the moneys drawn will be finally brought to Government Accounts.

The Divisional Commissioner may also kindly be instructed to certify on the vouchers that the structures were in existence prior to 1-1-54 and to render accounts to this office for the amounts drawn by him duly supported by payees receipts.

An early reply will be much appreciated.

Yours faithfully,

29/7

(P.V. Revadi)
Asst. Accounts Officer.

RAM/29-7.

29/7

Fold along this line

Fold along this line

MFP—1322 General—6923-50-A—(C-1567)—27-10-56—40,000 Pads.

81

Appendix F. G.—1]

SUBJECT Erasaka payments in respect of unauthorised structures to be submerged under the Bhadra Reservoir

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the 195 .

Date of issue.....

Signed by.....

List of enclosures .....

Copied by.....

Examined by .....

Section

File No. PWD 19 BRS 57

Serial No.

No. PWD 19 BRS 57) Dt-12-8-57)

To

The Divisional Comm^r

Mysore Dn Mysore.

Sir,

With reference t. G.O No PWD 19 BRS 57 dt 11-7-57 I am directed t. forward herewith a Copy of letter No W V BRL/TK -2/133 133 dt 30th July 57 of the A. G. Bangalore regarding the above subject and t. request you kindly t. offer your remarks on early receipt of the points raised by the A.G. in his letter, t. enable further action

* 8 cF.

8 3

No. 1705/S/
Encls. 1C.L

Office of the Chief Engineer,
Major Irrigation—South,
BANGALORE.

Dated 20th September, 1957.

To

The Secretary to Government,

Public Works Department,

BANGALORE.

1145

Sir,

Sub:- Ex-gratia payments in respect of unauthorised Structures to be submerged under the Bhadra Reservoir.

.... + 81CF.

With reference to your Memo No. P.W.D. 19 BRP 57 dated 12-8-1957, forwarding for report a copy of letter addressed to the Divisional Commissioner, Mysore Division, on the above subject. I write to forward herewith a copy of letter No. S. 3685 dated 14th September, 1957, received from the Superintending Engineer, Tungabhadra Valley Circle, and to state that Divisional Commissioner, Mysore Division, has to furnish replies to the quaries raised by the Accountant General.

Yours faithfully,

M. Ananthanand
19/9/57

(G. Krishnaswamy)
for Chief Engineer, I/C.
Major Irrigation - South.

H.J: 19-9:

1809

84

Letter No. S. 3685 dated 7962 dated 14th September 1957, from the Superintending Engineer, Tungabhadra Valley Circle, to the Chief Engineer, Major Irrigation - South, Bangalore -1.

.....

Regarding Ex-gratia payments in respect of unauthorised structures to be submerged under the Bhadra Reservoir.

.....

With reference to your memo No. 7224 dated 2-9-1957 on the above subject, I write to state that as could be seen from Government Order No. PWD 19 BRP 57 dated 11-7-1957, the proposals for the above were submitted to Government by the Divisional Commissioner, Mysore Division, Mysore, as per recommendations of the Irrigation Development Committee for Bhadra Reservoir and Tunga Projects. Hence the Divisional Commissioner, Mysore Division, Mysore, has to furnish replies to the queries raised by the Accountant General.

As regards the source from which the Divisional Commissioner will draw funds for making ex-gratia payments, I suggest that the Special Land Acquisition Officer, Bhadra Reservoir and Tunga Projects Shimoga, who is already operating on the funds of this project may be authorised to draw cheques in payment of award statements, counter-signed by the Divisional Commissioner, Mysore Division, Mysore.

.....

(COPY)

M. Ananthanarayana 19/9/57

for Chief Engineer, I/C.
Major Irrigation - South.

H.J: 19-9:

PWD 19 BRPS 57

8

Appendix F. G.—1]

SUBJECT Ex-gratia payments in respect of unauthorised structures to be submerged under the Bhadra Resr.

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the *195*

Section

File No.

Serial No.

No. PWD 19 BRPS 57 dt 28-9-57

To

The Divisional Commr

Sir,

Mysore or, Mysore.

I am directed to invite

reference to Govt's letter of

even No dt 12-8-57 regarding

the above subject and to

request that a reply may

kindly be forwarded invariably

4-F

for Secy to Govt

PWD

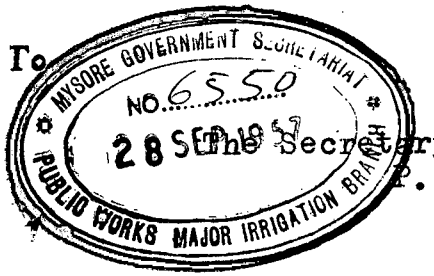
23/9/57 25/9/57

OFFICE OF THE ACCOUNTANT GENERAL
MYSORE.

No. W V · B · R C · IX · 2 / 5758 / 203 *Bangalore, dated the* 25/9 *1957.*

From

The Accountant-General, Mysore,
Bangalore.



To

The Secretary to the Government of Mysore,
P. W. Department,
Bangalore.

Sub: Exgratia payments in respect of unauthorised structures to be submerged under the Bhadra Reservoir.

I am to invite a reference to this office letter No. WV BRCIX 2 133 dated the 29th/30-7-1957 on the subject cited above and request the favour of an early reply in the matter.

Yours faithfully,

Assistant Accounts Officer.

25/9

PWD 19 BRPS 57

9

Appendix F. G.—1]

SUBJECT Ex-gratia payments in respect of unauthorised structures to be allowed under the Bridge Reservoir

Diary No. of letter replied to .....

Section

File No.

Mysore Government Secretariat.

Serial No.

No. PWD 19 BRPS 57 & 9.10.57

To Accountant General

The Divisional Comptroller

Bangalore

Dharwar Division Mysore

Date of issue.....

Signed by.....

Sir

Ref: your letter No. W V B.

C. IX 2/57-58/203d

25-9-57

With reference to the Communication

Cited I am directed to state

that certain particulars called

for from the Divisional Comptroller

Dharwar are still awaited. He

has again been reminded today

A

for receipt of the final reply

in which

will be sent to you on receipt

particulars for the Dc.

List of enclosures .....

Copied by.....

Examined by .....

ISSUED

NP

9.10 WD-05/47-GPB—P.Z.S.—90,000-27-9-56.

P. T. O

Copy of the above is forwarded to the Divl Commr Dussehra Range, in continuation of Govt's letter of even no dt 28.9.57. The particulars already called for in Govt's letter dt 12.8.57 may kindly be furnished immediately, as the A.G is pressing frequently in the matter.

for Secy to Govt

3/10 4/10/57

91

GOVERNMENT OF MYSORE

No. PWD 19 BRP 57

Mysore Government Secretariat,
VIDHANA SOUDHA,

Dated, Bangalore,..9..10..195

FROM

Secretary to the Government of Mysore,

Public Works Department, Bangalore.

To

The Accountant General,
BANGALORE.

Sir,

Sub:- Exgratia payments in respect of un-authorised structures to be submerged under the Bhadra Reservoir.

Ref:- Your letter No. W V BR C IX 2/57-58/203 Dt. 25-9-1957.

With reference to the communication cited, I am directed to state that certain particulars called for from the Divisional Commissioner, Mysore are still awaited. He has again been reminded to-day. A final reply on the subject will be sent to you on receipt of particulars from the Divisional Commissioner.

Yours faithfully,

sd/-

(K.B. Murarappa),
Under Secretary to Government,
Public Works Department.

Issued
NP
9.10.57

Copy of the above is forwarded to the Divisional Commissioner, Mysore Division, Mysore in continuation of Government's letter of even No. dated 28-9-1957. The particulars already called for in Government's letter dated 12-9-1957 may kindly be furnished immediately, as the Accountant General is reminding frequently in the matter.

s/c

Under Secretary to Government,
Public Works Department.

Issued
NP
9.10.57

C. F. No. 45]

GOVERNMENT OF MYSORE

No. A10.6508/56-57
Encls.

OFFICE OF
THE DIVISIONAL COMMISSIONER,
MYSORE DIVISION, MYSORE,
Date 7TH OCTOBER 1957.

MYSORE GOVERNMENT SECRETARIAT
NO. 6710
- OCT 1957
PUBLIC WORKS MAJOR IRRIGATION BRANCH

To The Secretary to Government,
Public Works Department, BANGALORE.

Sub:- Ex-gratia payments in respect of unauthorised structures to be submerged under the Bhadra Reservoir -

Ref:- Your letter No.P.W.D.19.BRP 57, dated 12-8-1957 and subsequent reminder dated 28-9-1957 -

---

With reference to the above, I write to state that a report has been called for from the Deputy Commissioners of Shimoga and Chickmagalur Districts in the matter and on receipt of their reports a reply will be sent to Government immediately.

Yours faithfully,

(D. M. R. MANAY)
for DIVISIONAL COMMISSIONER.

MYSORE GOVERNMENT SECRETARIAT
NO. 8129/57-9
8 OCT 1957
PUBLIC WORKS, GENERAL IRRIGATION BRANCH

PWD 19 BRPS7

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

Continuation sheet draft form).

Sub:- Ex gratia payments in
refut of unauthorised
structures in the Submerged
under the Bhadra Reser

To

The A. G. Bangalore

Sir, Re

Ref; your letter No. WV
B.R.C 12-2/133 dt
30th July 57 and
subsequent reminders

With reference to the Communica
Cited I am directed to state
as follows.

(1) payment of Compensation for
unauthorised structures
is no doubt unusual
unusual; but the Circumst
in this case are also
unusual. What is being
paid is an ex gratia
payment and not Compensati

(2) The date from which the structures were in existence will be
verified with the village
records

WD-05448-GPB-PZS-30,000-27-9-56.

(3) The money will be drawn by the L.A.O. under the authority of the Divisional Commissioner in the same manner as money for Land Acquisition Awards, and from the same Source. The Expenditure will be accounted for in the same manner as the awards for land acqn. are accounted.

(4) The Divisional Commr Mysore or, Mysore will be instructed to certify on the Vouchers that the Structures were in existence prior to 1-1-54 and to render account for the amount drawn by him duly supported by payees receipts, as suggested by you.

4/F

K.L. 6.1.58

U/S pls.

Copy of the above is forwarded to the Divl Commr Mysore w.r. to his No A.10 6508/56-57 dt 28-10-57 with a request to give certificate as to vouchers and to render accounts suggested by the A.G(A&E) noted in para (4) above.

Copy to CE M/s for info w.r. to his No 17-C1 dt 20-11-57

K.L. 6.1.58

for Secy to Govt pls

PB 6/1/58

Sec 21/12

GOVERNMENT OF MYSORE

No. PWD 19 BRP 57

Mysore Government Secretariat,
VIDHANA SOUDHA,

Dated, Bangalore, 7th Jan. 1958.

FROM

Secretary to the Government of Mysore,
Public Works Department, Bangalore.

To

The Accountant General,
BANGALORE.

Sir,

Sub:- Ex-gratia Payments in respect of unauthorised structures to be submerged under the Bhadra Reservoir.

Ref:- Your letter No. W V B R.C. IX-2/133 Dt. 30th July 57 and Subsequent reminders.

With reference to the communication cited, I am directed to state as follows:

1) Payment of compensation for unauthorised structures is no doubt unusual; but the circumstances in this case are also unusual. What is being paid is an ex-gratia payment and not compensation.

2) The date from which the structures were in existence will be verified with reference to the village records.

3) The money will be drawn by the Land Acquisition Officer under the authority of the Divisional Commissioner in the same manner as money for Land Acquisition Awards, and from the same source. The expenditure will be accounted for in the same manner as the awards for land acquisition are accounted.

4) The Divisional Commissioner, Mysore Division, Mysore will be instructed to certify on the vouchers that the structures were in existence prior to 1-1-1954 and to render accounts to you for the amounts drawn by him duly supported by payees receipts, as suggested by you.

Yours faithfully,

sd/-

(K.B.Hurmarappa),
Under Secretary to Government,
Public Works Department.

Copy of the above is forwarded to the Divisional Commissioner, Mysore with reference to his No. A.10 6503/56-57 dated 7th October 1957 with a request to give certificates on the vouchers and to render accounts as noted in para (4) above.

Copy to Chief Engineer, Major Irrigation (South) for information with reference to his No. 1705/3 dated 20-11-1 57.

Under Secretary to Government,
Public Works Department.

sp